UNSEEN ACRES

HARRY GOLDEN

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UNSEEN ACRES

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A WESTERN STORY

BY

HARRY GOLDEN

CHELSEA HOUSE

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Unseen Acres

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UNSEEN ACRES

CHAPTER I

THE HOLDUP

"ELEVATE 'em! Get 'em up and get 'em up fast, or I'll blow the whole top of your head off!"

The speaker was an entire stranger to me, and I could not see beyond the dark mask to read in his face what manner of man he might be. The general aspect of him outlined in the rapidly fading light was extremely sinister and minatory. His words had a ring of determination, despite the fact that they were harsh and grating, as if forced past clenched teeth in an attempt to disguise the natural tone of his voice. The barrel of his six-shooter had swung into direct line with my vision, and I could see no more of it than the unwavering, gaping muzzle. Looking into the muzzle of that gun affected me as looking down a deep well affects some men—it made me feel dizzy.

I took him for a man of his word and got them up as fast and as far as was physically possible. And I

left them there at the end of my long awkward arms, feeling for the sky. At another gruff command from the stranger I scrambled clumsily from the old Concord stage to the ground. A second passenger, with hands similarly upheld, alighted and ranged up alongside me. The driver was permitted to remain in his seat; but he held his four reins between shaking knees, for he, too, groped into the air above his head.

A third passenger remained in the stage. I expected him to join us on the ground; but he did not move. From where I stood, with my back to the stage, I could not see whether he had his hands up or not. I heard him speak. It seemed to me that there was a slight inflection as if of surprise, but absolutely no tremor of fear in his tones.

"Oh, it's you——"

The sentence ended there; or, rather, it mingled with the roar of the road agent's gun, became inarticulate, and then I heard the third passenger slip quietly from the seat to the floor of the stage with a piteous, whimpering sound.

That bullet on its way to the third passenger had hummed close enough to my ear to make me dodge involuntarily. I felt a fleeting impulse to spring at the road agent and surprise him in his momentary diver-

sion from my own case. But he was quicker than my impulse. I looked again straight into the unflinching, cavernous end of his gun, and I heeded his crisp "Easy, there!"

It seems a simple thing to grin and face the business end of a desperado's gun; to lunge with a mighty spring forward; to thrust the gun skyward, where it may explode harmlessly above your head, and then to grapple with the bad man, and finally toss him to the ground foiled and helpless. But actually try this business of rushing the leveled gun of the villain some time should the opportunity present itself. You'll probably learn that the twitch of the professional trigger finger is quicker even than the eye.

Well, I didn't spring. I stood quietly like a sensible or a very much frightened man, and submitted to a search which cost me about forty dollars in change, a gold watch and chain, and a few other less valuable trinkets. I still stood by passively while the robber searched the man on the ground beside me. The bandit got good pay for his outrageous work here. Among other things he removed from his victim's pockets a wallet which looked to me almost as big as a house cat, and a diamond ring, the likes of which,

being a man of humble station myself, I never expected to see again.

"You dudes march straight down the road," ordered the holdup man when he had finished his business with the man at my side, "straight down the road the way you come and don't look back! Keep right on going and never come back. This country's the devil on tourists."

Now, in the country I had come from, dude and tourist have about the same meaning as tenderfoot. Toss any one of these words in the form of address into the ears of old-timers and they become odious and trouble-brewing parts of speech. Call an old-timer a rascal, a scoundrel, and perhaps on special occasions a coward; but never call him a dude, a tourist, or a tenderfoot, without first preparing for a fight, a foot race, or a funeral. You will be abruptly and unpleasantly surprised if you do.

My head wasn't bowed with years; still I considered myself an old-timer; and I hold that I was right in this, for qualifications other than mere years go to place a man in the old-timer class. A man becomes an old-timer in the open country and in the out-of-the-way places when he ceases to be a greenhorn; when he learns the ways and the vernacular of the people; when

he learns to comport himself and take care of himself after the approved manner of the locality.

Never before had I been called a tourist. I had stood for being robbed meekly enough; but I would make a fuss over being called a tourist. I saw red. But through the red, which was not deep-hued enough to blot out all else, I saw the muzzle of the bad man's gun staring me straight in the eye. I turned and started back along the road.

A hundred yards or so from the scene of the robbery, I cautiously turned my head for a backward glance. I did this just in time to see the robber lean over the bed of the stage. He must have done this to search the clothes of the third passenger, for after a moment he straightened up, thrust something into a pocket of his coat, and then disappeared into the brush at the side of the road. The driver gathered up his reins and drove on out of sight.

Previously to the holdup I had been riding on the box with the driver, and I had not paid much attention to my two traveling companions, except to note the fact that one of them was a large, good-looking man, sixty years or more of age. He wore a broad-brimmed white hat, and somehow I gathered the impression that

he belonged in that part of the country. He it was whom I have mentioned as the third passenger.

Of the other passenger I had noticed only that he was a smaller, quieter, and younger man, and that he was dressed after the fashion of city men. I glanced down upon him now as he trudged silently at my side in the dusty road. He wore a white collar, a flashy tie, a floppy cap of many colors, and a well-tailored suit, the coat of which seemed to fit him too tightly, notwithstanding the fact that his shoulders were narrow and that his chest was flat.

"No wonder that holdup man called us dudes," I said to myself as I glanced down at my own store cothes and my big, bright-yellow shoes which were kicking up spurts of dust in the wheel track. I reached up, jerked the tie and collar from around my neck and threw them into the brush.

My little companion didn't seem to be in a state of excitement, and this surprised me somewhat after my study of his general make-up. His rather rapid breathing was interrupted now and again by a dry, jerky cough, which seemed to bother me a great deal more than it did him. "Nervous cough," I told myself; and then, because of my sense of fairness, I caught myself up in the act of forming a hasty dislike

for this little fellow mainly because of his irritating cough.

"Strange," I said to him at last in an attempt to strike up a conversation, "I happened to be remarking to the driver just before the holdup that adventure and romance were dead in the West. When I meet up with that driver again, I'm going to take that all back. Adventure and romance aren't as dead hereabouts as I had supposed."

"I hadn't noticed any romance," he answered grudgingly, almost sarcastically, I thought. He coughed nervously.

"Well, you can't deny that there's adventure at least," I told him. "And I wouldn't be surprised to find real romance hidden out in the brush there somewhere. I like this country. I'm tickled over my introduction to it. It cost me something to get acquainted, but I can get that back soon enough in a live country like this where there's still something doing along the old order of things."

"Stage robber, too?" he asked. I was sure of the note of sarcasm in his thin voice this time.

"No, I'm not a stage robber, too," I answered sharply. And for a good broadside I added, "Nor am I a dude tourist."

I looked at him squarely and accusingly—but the shot didn't faze him. Evidently he had learned the meaning of the word tourist from a dictionary.

"All right, then," he said; "that's settled. You're not a tourist and perhaps I am. Does that suit you?"

"You seem to be all-fired peevish," I snorted. "That little deal back there sort of rubbed your fine hair the wrong way, eh?"

"I'm peeved all right," he retorted. "I'll bet you haven't got a cigarette about your person."

"You win that one," I answered. "I've got a cut of chewing tobacco here, though, if that'll do you any good."

"Never got hard up enough to eat the stuff yet," he said as he waved my offer aside. "And I won't be good company till I get a smoke. That confounded wagon thief, or whatever you call him, took all my cigarettes," he concluded with an air of finality as if conversation bored him.

I am not a man given over to sulky moods, and on a long walk I would keep up a one-sided conversation with a wooden Indian.

"Don't say wagon thief when you mean stage robber," I corrected him. "You're a strange bird, all

right—putting up a holler about a handful of cigarettes and not saying a word about that big roll you lost."

"I'm telling you that I'm a cigarette fiend, not a miser," he came back. "It's a smoke I'd cut your throat for now, not money."

I began to take more interest in the little fellow. He might be a tourist, but he surely was not a money hound.

"I'm coming back to-morrow," I told him. "I'm going to hunt for that road agent, and when I find him, maybe I'll get your cigarettes back for you."

He coughed again in his irritating way. The only sign of nervousness I could notice about him was that persistent cough.

"I'll be so far away from here by the time you get him that it'll take a dollar's worth of stamps to send me a postal card."

Then he closed up like a clam and trudged along in irritating silence. It was growing dark now and we stumbled over rocks and ruts in the dusty road, up and down over brush-covered foothills for five miles. At last we fetched up at a stage station.

CHAPTER II

HAPPY-GO-LUCKY

THIS little village we had come upon in the dark, we found to be typical of all little villages strung along the stage roads in the Western hill country. A faded sign on one of the windows of the general store proclaimed the place to be the Shoveltown Emporium. We entered the store, and found a disorderly display of nearly all the usual, and many of the unusual, necessities and commodities of frontier life, from saddles to hairpins. The institution served as telephone office, stage office, express office, and post office.

My companion rushed down the long aisle within the store, and I followed him. He asked for cigarettes. The storekeeper informed him that he had none in stock, but that he had tobacco and cigarette papers, a supply of which he tossed upon the counter.

"A dollar's worth of that junk," ordered the customer, as he ran his hand into his pocket. Then it was that he seemed to recall to mind the robbery, and he added:

"No money—pay you later."

The storekeeper seemed doubtful about this, and reached out to reclaim his goods. He was too late. The little fellow had snatched up papers and tobacco and was cramming them into his pockets. With surprising quickness he tore open a package of tobacco and rolled a cigarette. He took two or three long draws and inhaled the smoke in hungry gulps, which set him to coughing again.

"No one ever got the best of old Jake Swingle," stormed the storekeeper. "You pay that dollar now, or——"

"Just a minute," I interrupted. "We've been robbed of our small change. I'll give you your dollar later on."

"You'll give me my dollar now, or I'll——"

A woman customer entered the store at that moment.

"I've got my money hid out where I can't get at it," I whispered to old Jake. "A man can't undress in a public place, can he? Is there a hotel here?"

"Across the street," answered Swingle.

"Where can I find the proprietor?" I asked him.

"I'm him," he answered, bristling with new suspicion. "What you want?"

"We want a room. I want a little privacy while I

dig up your dollar for you. And, anyway, we'll have to have a place to sleep to-night."

"The porter'll show you a room," said Swingle grudgingly. "But I'll want good pay for it, and I'll stand for no monkey business, neither, understand!"

Evidently the old fellow did not like our appearance. The porter, however, proved to be a more sociable man.

"Take number one at the head of the stairs," he told us; "and if you like," he added with a sly wink, "you can have a little 'something' on the house before you go up."

We each took a full glass of something stronger than seltzer, and before we turned to go, my companion addressed the porter in what I thought a rather peremptory tone for a man without money in a strange place.

"Give us a bottle of that stuff, and a couple of glasses," he ordered. "And send some sandwiches up to the room. Too late for supper, I see."

"Sure," replied the porter, as he slid a big black bottle across the bar to the little fellow, who grabbed it around the neck with a strangle hold.

We went up the long, dark stairs to our room. Here we found a kerosene lamp, two single beds, two

rickety chairs, and an antiquated washstand surmounted with the usual bowl and pitcher.

My roommate in a businesslike manner closed the door behind him, removed the bowl and pitcher, set the stand in the middle of the room, and drew the two chairs up to face each other. He opened the bottle, and with the glasses set it in the center of the stand between us.

"Sit down," ordered my companion, "and let's talk. I'm in a more sociable mood now. Name's Hapgood Day. Friends call me 'Happy'—that name'll do for you."

"All right, Happy," I answered, laughing at the unexpected change that had come over him. "My name's Jackson Bailey Smithers. That's a rather long and unfortunate name, though, for everyday use, so I've cut it down to Jack Smith, which in turn will do for you. What'll we talk about?"

"The money you told that yap merchant you had hid away."

"Oh, yes, the storekeeper's dollar," I returned.

"Yes, and the rest of it."

From a secret hiding place in my clothes which the robber had overlooked I produced a handful of bills, and tossed them upon the little stand between us.

"How much?" asked Happy.

"A little over eleven hundred dollars," I answered.

At this he poured us each a good stiff drink.

"Here's to the slickest Smith I ever saw," he remarked, holding up his glass. "You played a good joke on that stick-up man, Jack."

"Yes," I returned a little proudly. "You see, I wasn't so sure that adventure, romance, robbery, and such things were dead up in these hills."

"I wish I'd had sense enough to secrete some of my wealth about my person," regretted the little fellow, pouring us out two more drinks. "But we'll divide what you have there. Five hundred ought to be enough to see me through."

"Perhaps," I returned indulgently. "But where do you get the notion that I'm going to split? What have I got into—another holdup?"

The little fellow was becoming more and more a mystery to me. He was like a steer that mills around so much you can't make out his brand. You think you've got it, and then at another look you find out that you haven't—that it's something else; and you start in all over again, herding him around to make sure. Well, that's the way it was with this Happy person. I couldn't place him. He was of an entirely new breed

and brand to me. He dressed like a doll and drank whisky like an old-time bull-puncher. At times he seemed as reserved and polite as a New England school-teacher; and at other times he was as forward and unreasonable as a sheep-herder. He was bold enough to propose that I, practically a stranger, divide my roll with him; and at the same time he was nervous enough to cough in that jerky way of his while doing it.

"You must be some sort of financier that I never happened to ride alongside of before," I told him. "And I can't quite get your angle on this deal you mention. We'll call it off. I'll settle with the hotelkeeper in the morning, and lend you a few dollars which I won't ever crowd you to pay back. But as for this idea of yours about splitting——"

"Not so fast," cut in Happy. "I see that I haven't made my meaning clear enough. I must do some explaining. My proposition wasn't couched in quite the proper terms, it seems. Were you ever engaged in the agricultural industry? Ever actively associated with stock husbandry?"

"If you mean have I ever ranched, punched cattle, or wrangled horses—yes. If you mean have I ever herded sheep, stolen horses, or rustled cattle—no! I had a

small stock layout down in Texas a while back where I ran a few longhorns. If you know anything about that sort of layout, you'll know that I was actively engaged all right. I sold out down there and went over to France to give the boys a hand in the big rodeo. Came back to San Francisco; soon got tired of the big-town scramble; heard about this country, and came up here with the idea of looking around a bit. Thought I might be able to drop on to a corner of some meadow, that would do for horse pasture, and a larger chunk of this outside hill range. Thought I might get a chance to buy up something like that cheap, and then get a bunch of stuff together. Better stock this time, though—Herefords, I think. But——"

I broke off abruptly, remembering that three drinks of raw whisky on an empty stomach were likely to make me altogether too talkative.

"What has all this to do with my giving you five hundred dollars, anyway?"

"Everything in the world," replied Happy, brightening. "Fits into my scheme exactly. Here, have another drink."

Remembering that four drinks would put me into an altogether too generous mood to sit in a game with such a persistent schemer I waved the stuff aside.

"All right," Happy affably agreed. "I don't particularly like to drink alone, but here goes." And he tossed off both drinks.

"Better pick out which bed you want to lie in," I cautioned him. "That stuff you're drinking isn't soda pop; it's forty rod; and it's going to knock you dormant in about a minute. Where'll I dump you?"

"Nowhere," he answered with a sort of superior smile on his pink baby face. "It can't be done. This stuff doesn't have the advertised effect on *us.*"

"Us?" I asked. "Meaning college boys?"

"No," he replied. "Meaning lungers!"

Instantly I began to form a greater regard for the little fellow. That cough of his wasn't a nervous cough, after all.

"I'm sorry, Happy," I said seriously. "Perhaps I'll be glad to split with you, after all—if that can do you any good."

"You've got me wrong. I'm not asking charity," he came back. "I'm going to sell you a farm—an undivided half interest in one."

"Where is this place you're going to sell me?" I asked.

"About fifteen miles on up the road, I think. Nan-

ville's the name of the nearest post office. I was on my way up there when we were turned back."

"And you're going to keep the other half interest and work it with me?"

"Hardly," Happy smiled, growing a little sarcastic again. "I'd make a fine rube, wouldn't I? I don't like this country. Haven't got long to stay anywhere, I guess; but I'm going to do the rest of my living where there are a few lights and music and such things—not up there in that forsaken brush pile."

"What are you doing here, then?" I questioned.

"That's rather a long, uninteresting story; but if you insist, I'll give it to you just as short as I can:

"My father was a broker in New York—supposed to be pretty well off until after his death, when it transpired that he had only a few thousand dollars in bank and a half interest in this ranch I mentioned. Some one of his customers went fluey on him and he had to take his share in that place for payment of a bill, unsight, unseen. From what I have been able to find out, the place never paid more than enough to cover the taxes and other expenses. I was my father's only heir; so the money in bank and his interest in the place fell to me. Later I quit college to enlist in the army, and was surprised at being rejected because they found my

lungs to be N. G. or T. B., which means the same thing. I broke off my engagement to be married; squandered the most of my inheritance, and at last took the advice of interfering friends and came out here for my health. Had about everything I owned with me when we were held up. There was over a thousand dollars in that wallet the road agent got.

"I thought I might try to do something on that place up there; but just one look at this country changed my mind. I'm keen on selling out now. Heard something about Mexicali, Mexico. They say it's pretty lively down there just now. Think I'll go there, and —well, just stick around and wait a while. That's why I want five hundred dollars for my interest in that farm or ranch or whatever you may call it out here. I am almost sure that it would be worth more than that to you—seeing that you're looking for a place."

"Did you ever try to sell it to any one else? It might be worth a good deal more, you know."

"I asked the owner of the other half interest to make me an offer for my share. He wrote back that he couldn't do it, because he had nothing to pay for it with, except his own interest in the place. As that was already mortgaged he didn't see how we could make a trade. Said that he didn't know of any one that would

care to buy just now; but that there was talk of a railroad building through later on, and that the place might be worth a good deal more in a few years than I would care to take for it now. He advised me to hang on."

"Doesn't sound very promising, does it?" I asked.

"No, it doesn't," he answered. "But when I wrote this other part owner that I thought of coming out to look the place over, he said that we might be able to make something off the layout, if I'd give him a hand and put up some money for stock. He's raising a few cattle there, I believe. I'll think myself lucky if I get five hundred out of it now, though."

"Any stock go with your interest?" I asked.

"No. He owns what stock are on the place now. He pays some rent on my share."

"How much?"

"Don't know. Never paid much attention to the place till lately. I'll be glad to take five hundred and forget it."

"I'll give you that much on a gamble," I said. "But we better go up and look the place over. I might give you more for it."

"No," he refused. "You might, after seeing the place, take back your offer. Give me the five hundred."

"How many acres in the place altogether?" I asked.

"I thought you said you knew something about ranching?" he came back.

"I did," I answered, wondering what he was driving at.

"I should think that is one of the first things a rancher should know—how many acres a ranch comprises. I have never had any reason to believe that this place is not of regulation size."

I looked at him quickly to see if he was joking. He seemed serious enough.

"Don't know how many acres go to make a ranch?" he asked, seemingly as surprised at my ignorance as I was at his.

"I ought to know," I answered, trying to suppress any trace of amusement which I felt bubbling up within me, "but I can't just recall the exact figures off-hand."

Suddenly the little fellow broke into laughter.

"That's a horse on you," he said with a chuckle. "You really thought that I was as ignorant and as impracticable as all that. We'll have to have another drink on that one."

Happy had a streak of humor that I had not found

in him before, and I began liking him better because of it.

"Then the five-hundred-dollar deal is off?" I asked; and I must confess that I felt somewhat relieved.

"Not if you want to go through with it. Just that last part—that acre business was in the joke. I think there's about a thousand acres in the place altogether. But a million acres up there in the brush wouldn't mean any more to me than a thousand acres, or than one acre, for that matter. The deed is on record in Downing. We'll go down there in the morning and transfer it, if you say so."

"All right," I answered, "that's a go. But you speak of that place as being in the brush. How do you know that?"

"By the start that brush field had where we turned back this afternoon, I know that it couldn't end within a thousand miles of there."

CHAPTER III

AMATEUR DETECTIVES

WE were interrupted by old Jake Swingle, who now entered the room with the sandwiches Happy had ordered. Our visitor was all excitement.

"Did you fellows say you was robbed? Was you in the stage when it was held up this evenin'?"

I nodded.

"Well, they just telephoned down from Nanville. Stage driver just got in there. Said he was held up in Chaparral Chute. He brought Sam Saylor home in the bottom of the stage dead! Says old Sam put up a fight and the robber shot him. Says the robber was a tall, slim feller. Said two other passengers were robbed, too, and sent back this way afoot. Be you two fellers them?"

I nodded again.

"It's a wonder you wouldn't said somethin' about it when you come in," he complained.

"I told you we had been robbed," I answered him. "But you were too interested in getting your money

for the tobacco and papers to pay any attention. This ought to teach you to be more civil to your customers."

Old Swingle paid little notice to my last remark, for his gaze had centered on the pile of bills on the stand, and his eyes bulged with greater excitement and curiosity.

"Tell us about the holdup now," he asked, dragging his greedy eyes from the bills with an effort.

"You already have about all the details, it seems," I answered. "You know more about the affair than we do. We didn't even know that the other passenger was killed, until you told us just now."

"Strange," he went on; "and you bein' right thar, too. What did the robber look like?"

"He was tall," I answered.

"Taller than you be?"

"He was as tall as I am, at least."

This information seemed of great importance to old Swingle, as he looked me up and down, from my dusty, yellow shoes to the top of my head.

"Hadn't ought to be hard to find then," he went on. "Just how tall be you?"

"Six feet three."

"Think you'd know him if you'd see him again?"

"I don't think so," I answered. "It was almost

dark; he had on a mask and a long coat, and I think he tried to disguise his voice."

"Seems like you ought to tell him easy. Danged few men tall as you be, projectin' round the country. Funny old Sam put up a fight, though. Sam's a good hand with a gun, but seein' as how the road agent had the drop on him, he was foolish, 'pears like to me."

I changed the subject.

"Here's your pay for the tobacco and papers," I offered, handing him a bill. "We want to stay here tonight, and in the morning we'll want to hire two saddle horses to ride to Downing. I'll be back next day."

"I don't know about the horses. I'll have to——"

"Beat it," interrupted Happy. "Can't you see that my friend and I are talking business. We'll see you in the morning. Have the horses ready then."

Somewhat astonished at being thus summarily dismissed, old Swingle backed toward the door. He noticed the rather large air space in the whisky bottle. "Don't break up none o' that thar furniture," he warned us. Then he disappeared into the hall, slamming the door behind him.

"He seems to be sure of what his stuff will do to a man," I smiled at Happy. "Better go easy on that TNT."

"Knows what it'll do to these hill Billies, maybe. But I guess he never watched one of us boys with the leaky bellows hit the nectar before. So you're going to give me the five hundred, stick in this country, and try to find the holdup man?"

"I am," I answered.

"Well, I wish you would slap him on the wrist for me and take my stuff away from him—when you get him. Send me the ring; it was my mother's engagement present, and I'd hate to lose it. And I'd like to get the cigarettes back, too—special brand, monogrammed and all that, you know. Keep the wallet for your trouble."

"Sounds like a joke, maybe," I answered; "but I'd like to bet some responsible party a million that I get my man."

"Well, good luck to you," said Happy, "but just how are you going about it?"

"I'm going to lay low and keep my eye out for a tall party with a gait like a foundered bronc!"

"That's right," agreed Happy. "I noticed that he walked as if he had crippled legs or sore feet."

"I think it was his legs," I answered. "Crooked and warped, perhaps. Maybe that's why he wore the long coat—to hide his legs."

"Wouldn't wonder," returned Happy. "And here's something else that might help you. That other passenger, Sam Saylor, didn't try to put up a fight. He was surprised, I think, but he wasn't frightened. I'll bet he recognized that holdup man, and that the holdup man thought that he had to shoot him to keep him from talking later on. I saw the poor devil just before he keeled over. He had his hands up as high as ours, and he was rising to jump out of the stage and line up with us, I think, when he made the mistake of saluting that dog."

"That's just the way I have it figured out. I couldn't turn my head to see him; but I knew from the way he spoke that he didn't intend to put up a fight," I answered.

"This Sam Saylor was an owner of the ranch you just bought."

"The devil he was!" I said. "Why didn't you tell me that before I bargained to buy? It might have made some difference in the trade."

"I didn't know it until that hotelkeeper mentioned the name. Samuel S. Saylor—that's the way he signed the letters he wrote me. Must be the same man. Do you want to get out of your trade now?"

"No," I answered. "A bargain is a bargain with

me. Anyway, I can't see how this could make any difference. I suppose Saylor's interest in the place will go to a brother, or a cousin, or some one who will be willing to go ahead with me and make something of the place."

"Evidently that stage driver lied about Saylor's having put up a fight."

"Evidently he did. But what of it? He was excited, and perhaps got his story garbled."

"Maybe recognized the robber, also, and is trying to shield him by lying, either because he is afraid of the holdup man or because he is in with him—or something of the sort."

"What difference would that lie be apt to make?" I asked.

"Why, if the stage driver recognized the robber also, that would point to the supposition that the robber is a local man. In that case the stage driver's lie would protect the robber. Most people know that it is a hard matter to disguise your voice so that your friends can't recognize it."

"Say," I told Happy enthusiastically, "you should be a professional detective. You've begun deducing this mystery pretty logically. If you can keep that lick up, we'll have our man caught and hog-tied, and

you'll get your cigarettes back, almost without leaving this room."

"It's this stuff beginning to work," he replied, pouring us out a couple more drinks. "But we've come to the end. This is as far as we can see from where we sit."

"See here," I pleaded; "you stay on with me, and we'll round this bird up."

"No. I would like to help you out; but it would take more excitement than that usually offered by catching robbers to keep me in such a brush-covered, depopulated, hoosiered-up mess of hills as these. I don't fancy a country where at any minute some one is likely to step up with a gun and take my cigarettes away. I'm too greatly addicted to smoking for that."

"All right," I gave in; "but thanks for the pointers. This is how they all sum up: Robber, tall party with crippled legs; robber recognized by Sam Saylor, also by stage driver; driver's lie points to an attempt to shield robber; robber evidently local man."

"Sounds impossible to-day, doesn't it?" asked Happy.

"Yes, and it sounds easy, too," I answered.

"Don't be too sure about the easy part," he cau-

tioned. "And be careful not to mix yourself up in a mess of tough luck while playing detective hero."

"Don't worry about that," I told him. "I'm going about this business like a regular detective. I have my disguise all figured out. I'm going to pretend that I'm a tenderfoot, up here to rusticate a bit. It'll go hard with my pride; but I'm going to go through with it. I want to look over the lay of the land from the outside before I begin ranching here, anyway. I'm not even going to let any one know that I bought your interest in that place, for a while."

"Anyway, as I said before, here's luck to you." And Happy served the drinks again.

Presently I pulled off my clothes and tumbled into bed, feeling a bit groggy. I left Happy sitting there in the smoke, surrounded by his cigarette butts, to keep the bottle company.

CHAPTER IV

THE HORSE DEAL

WHEN the first light of dawn crept slyly up to peek through our uncurtained window, the next morning, I awoke with a dark-brown taste in my mouth. I reached out for the bottle—the-hair-of-the-dog-that-bit-you theory, you know. It was empty.

Happy was sitting up in his bed, waiting for a fit of coughing to pass, that he might roll another one of his cigarettes without spilling all the tobacco.

"You finished that bottle before you turned in?" I asked, evincing my surprise.

"Sure," he replied, smiling. "I never go away and leave one struggling. I always kill 'em outright."

I got the water pitcher and about half emptied it down my parched throat. Moving around had stirred up my hold-over and I sat down on the edge of the bed to put on my shoes and socks as wabbly as a sea-sick school-ma'am.

"I've sampled several brands of whisky in my time," I said grouchily; "but I've never associated with anything before even remotely similar to that—that——"

"You can't call it, old-timer," cut in Happy. "No name for it. It sort of bobbed my cork, also, and that's sure incriminating evidence enough to hang the villain that made it and the bar dog that sold it and—— Well, I must have got slightly lit up, or I wouldn't have slept in the same room with you."

I was feeling pretty peevish. "How's that?" I asked, taking instant umbrage.

"Why," he answered, a little haltingly, I thought, "being all shot to pieces, the way I am, I should have been more careful. Contaminate the air, and all that, for you, you know."

"Forget it," I said. "I've got a pair of lungs like a leather bellows. I'd like to see the bug with the nerve to tackle me."

After breakfast I got Happy away from the bar and out into the street.

"We'd better see about getting horses, and light out of here," I told him. "Remember, I'm a tenderfoot, and don't make any bad breaks that will give me away."

When I spoke to old Jake Swingle, who happened among other things to be the proprietor of the livery stable, he seemed rather riled.

"I started to tell you last night that I didn't have no

saddle horses for you, 'cept one. Might have rustled up another one for you, though, if you hadn't been so all-fired drunk and cantankerouslike—firin' me outen the room that a way."

"Sorry. No offense intended," I said, trying to pacify him. "How long will it take you to rustle up another nag now?"

" 'Bout four or five hours," he answered disinterestedly.

"How far is it to Downing?"

"Thirty miles comin' in; twenty goin' out."

"How's that?"

"Uphill one way; downhill t'other." The old fellow chuckled at his own secondhand wit.

"Haven't four or five hours to spare," I told him. "Seems like you'd have more than one riding horse around here. Don't you have a pretty good tourist trade?"

"Sure," he replied. "Season's too early for 'em yet, though. You two be the first showed up so far."

This I found hard conversation for me to stand there and swallow with a grin. But here was a little consolation. I'd make old Jake Swingle apologize some day later.

I saw three horses standing in a corral near by. One

of them I noticed in particular. He was a strawberry roan, weighing close to eleven hundred, short-coupled, high-withered, Roman-nosed. I knew exactly what sort of horse he was down to the last crinkled, silver hair in his tail. Above all else I am a horseman, and I instantly fell in love with that roan gelding. I noticed a small saddle mark on his back.

"What's wrong with them?" I asked, waving my hand toward the corral.

"You can take that brown brood mare there," answered Swingle.

"What's wrong with that funny-colored one with the gray tail?" I queried.

"They's nothin' wrong with him, stranger," Swingle answered proudly. "Him—that's Silver," he added, as if that information should put an end to the matter so far as the roan was concerned.

"Why won't you let us take him?" I persisted.

"Him?" Swingle argued a little surprisedly. "Why, you couldn't ride him, stranger!"

"Why not? He doesn't seem to be crippled. Is he too weak in the back to be ridden?"

"You woudn't think so, sonny, onct you was crazy enough to crawl aboard onto him. I'd be a murderer

if I sicked you on to that bronc, young feller. He ain't broke gentle for school-marms and sichlike."

I gritted my teeth at this; and Happy, who was taking it all in, snickered.

"But I'll take all the risks, and you won't be held responsible, if he should become restive and succeed in causing me to lose my equilibrium, and thus unseat me."

Happy was harder put than ever to keep from laughing outright at my affected jargon.

"I'm not so all-fired consarned about your breaking your fool neck," replied the old fellow; "but I don't want that there horse spoilt none."

I made a quick calculation. "What will you take for him?"

"What you fellers doin' in here?" he evaded suspiciously. "What you want a horse for, anyway?"

"To ride to Downing," I informed him.

"What be you goin' to Downing for?"

"To accompany my friend back there."

"What did he come up here for, if he's goin' right back out?"

"To accompany me in."

He puckered his old leather face and remained silent for a moment to digest this information.

"Well," he remarked at last, "I allers knowed that tourists has queer ways—but dinged if you fellers ain't got me plumb beat!"

"Well," I reminded him; "how about it? What'll you take for the funny-colored old crow bait there?"

Swingle squinted his eyes and looked at me closely for half a minute or so, and then he answered:

"Fifty dollars."

I was surprised; for if the horse didn't deceive his looks, and I felt sure that he couldn't, he was worth about three times fifty dollars to me—and to old Swingle, too, for that matter.

The old fellow's eyes twinkled shrewdly as he awaited my answer. I walked over closer to the corral to make the horse step up, that I might study him a little more carefully. I became better pleased with the style of him than ever. I wondered why Swingle had offered to sell the horse so cheaply. Then I remembered the twinkle in his eye. Swingle had a scheme, and in a moment I was sure that I had his scheme figured out. He thought to sell me the horse for fifty dollars, let me try to ride him, be thrown, and then buy him back for whatever cheaper price he might offer.

"That seems to me a high price for such a sorry-

looking plug," I answered at last. "But I suppose I'll have to pay it—that is, if you'll kindly adjust the saddle to it." I handed over the money. "By the way," I added, "what sex is it?"

The old fellow left to get the horses. Happy sidled up to me and said in an anxious voice:

"Better let me ride that horse, Jack. I took a few riding lessons at a riding school, and if the animal proves to be really unruly, I might fare better astride him than you. You've never taken lessons at a riding school from a competent riding master, have you?"

"Thanks, Happy," I answered. "I never have enjoyed that privilege. That sort of training might stand a man in good stead in some cases; but I'm afraid it wouldn't be worth much here. You see, that roan horse probably has never been to riding school either, and he might not trot off properly. He might get rough in a manner entirely foreign and unknown, even to your competent riding master. You ride the old brown mare, and let me take a whirl at the roan. Did you swallow that dose of tenderfoot guff I handed that old idiot? You poor, simple——"

"Of course not," said Happy with a laugh. "That's a good line you have and you may get by with it, all right. But you swallowed my guff about the riding

school, didn't you? Why, I wouldn't climb aboard that skate for a new radiator in place of this old leaky one of mine, and that's remarking a whole mouthful," he finished, tapping himself gingerly on the chest. "You've got a good line, all right; but what I want to know is how you're going to ride that horse if he gets playful, without showing your hole card. The old fellow'll get wise when he watches you work out—if horses in real life carry on as they do in the pictures—or else I'm much mistaken."

"I think I can attend to that part of it all right when the time comes. Just watch me."

CHAPTER V

A FANCY RIG

OLD SWINGLE must have passed the word around that a tenderfoot was going to try to ride the horse, Silver, for when he appeared leading the animal a few minutes later, the porter, the chambermaid, the stable buck, a clerk from the store, and a half dozen or so of the village loungers had lined up in front of the hotel to watch me mount the roan. I decided that Silver must be a bad one, for old Swingle kept a leery eye out for him, and was careful that the horse did not tread too close upon his heels.

I tried to play the rôle of tenderfoot as I knew it—tried to appear more awkward than I really was, and to want to hold the horse off at arm's length, as I took the reins from Swingle. But I found this a difficult part to play. I had to get close enough to that cranky bronc's nigh ear, where it lay flattened back against his neck to whisper a word or two into it, before climbing aboard.

Some men know what to say to a horse, and just

when and how to say it; just as some other men know what to say to a woman and when and how to say it. I belong to the order of the first mentioned exclusively; or, rather, such was the case at the time. Albeit matters have changed for me since then—but to get back to the horse. I whispered a few easy words that a horse can savvy into Silver's ear, shyly; and then waited a moment to see his ear start forward a little, and a kink in his back straighten out.

When the first flicker of a grin puckered his chin, I scrambled aboard awkwardly—not too awkwardly, though; just enough so that the watchers might see, but that the horse, still smiling over the little pleasantry I had whispered in his ear, might overlook.

With many a "well, I'll-be-hanged" the natives gasped in surprise when Silver walked off without one false move. We were tenderfeet—Happy and I—our figures bobbing up and down like jumping jacks attested that fact up to a point of absolute certainty. But, what about Silver, their prized and boasted bad one—outlaw? I was not surprised to find later that he was thus prized and boasted. They were not merely surprised; they were awe-stricken; as much so as if they had just witnessed a miracle before them there

in the dusty road between their double row of squat board shacks.

Yes, the play worked; and Happy and I went jogging down the road toward Downing, the county seat, with arms akimbo and reins clasped clumsily, one in each hand.

We arrived in Downing late that afternoon, and I paid five hundred dollars, cash, for an undivided half interest in a ranch that I had never seen. I did not even know who my new partner was going to be, and I became impatient to start on my way back up-country to find out. Happy transferred the property to me and I had the deed recorded.

That night I went to the station with Happy to see him board a train for the South, for all my importunings in an effort to induce him to stay and go back into the hill country with me proved of no avail.

"I want none of it," he had said, over and over again. "I'm off this country for good. I'm going down South where there's something doing, and where no one knows me; and have done with this squalid business of finishing off life. It won't take long, a couple of months at the best—or at the worst—suit yourself as to that. If you insist on going back up there into that brush scramble to farm and to hunt

for outlaws and romance, you're welcome. Keep your eye on that stage driver—find out why he lied if you can. And keep an eye out for our friend Swingle, too. He's never going to be much in love with you, especially after this horse deal. He'll figure that you beat him there. He might try to do you some harm later on. And be careful you don't get mixed up in this detective business so far you can't back out."

"If you'd stay around in this country," I told him, "I'd bet you'd get well. But then you may get along all right down South there, too. It's dry and warm in that country nearly all the year round. I've seen many a man in a worse fix than yours get well down there. Kick around outside as much as possible, and go easy on the cigarettes and the booze."

He laughed mockingly. "No luck, Jack," he said.

"Luck has nothing to do with it!" I answered him a little heatedly. "If you only had the nerve you could win even yet."

"Nerve be hanged!" he retorted. But he went on again, letting the cynical tone die out of his voice: "Don't sit up nights worrying over me. I hope that ranch speculation of yours turns out all right, and I appreciate the favor you did me by buying it. I've taken a liking to you—have figured you out all white

—and if you should happen to get into a tight place where I can do you a favor in turn, just let me know. My address will be Mexicali for a month or so, and after that"—he paused to light a cigarette and to cough—"and after that, who knows?"

The train lurched forward and began to slide away into the night. I saw the spark of the cigarette describe a farewell arc in the darkness, and just above the rumble of the wheels, I heard him call:

"Good-by, Jack, old hoss. Don't forget those monogrammed cigarettes of mine!"

I called a parting word after Hapgood Day, and turned back into the town with a feeling of loneliness altogether unusual to me.

Next morning, before starting back up the country, I bought a riding rig for Silver—a fourteen-and-a-half inch Visalia tree, three-quarter rigged, with bound cantle, laced horn, and round skirts with flower stamping; a split ear headstall with silver conchas, snaffle bit, and latigo reins. A fancy rig, but Silver was a fancy horse—the fanciest horse I have ever seen. For myself I bought a pair of high-heeled riding boots, and a .45-caliber automatic pistol.

CHAPTER VI

THE MAN TRACKER

I DECKED Silver out in his new rig, forked him, and leading the old brown mare which Happy had ridden the day before, I headed back for the hill country.

Soon after leaving the valley town of Downing, I crossed a stretch of barren, rocky plains and then began climbing into the manzanita-covered foothills. I jogged up the Shoveltown Ridge and stopped in Shoveltown to leave Swingle's saddles and the mare. As I stopped at the trough in front of the hotel to water Silver, the waiter came out for a chat. He informed me that the sheriff from Downing and his posse had passed through Shoveltown on the night of the robbery. They had engaged a man named Slater from Nanville to help them run down the bandit. This Slater, so the waiter told me, was a professional man tracker. Evidently the sheriff and his posse had passed through Shoveltown while Happy and I were asleep in our room there.

In Chaparral Chute I paused at the point where the stage had been held up two days before. Here I found many tracks, both men's and horses', in a circle of massed confusion. In more orderly fashion the tracks led into the brush field at the roadside. I concluded that here the man tracker must have picked up the trail of the bandit for the sheriff and his party. I followed the trail of the trackers for a short distance in order to learn its general direction. This I found to be nearly due east, pointing toward some low-lying, timbered hills a few miles away.

Returning to the road which still climbed gradually into the higher country, I leisurely followed it and soon emerged from the upper end of Chaparral Chute, and a little later reached the timber line. Beyond I ambled over gentle slopes timbered with oak and pine. Occasionally the road flattened out to cross narrow strips of lava, shallow, rough, rock draws, and then rose to the wooded slopes again.

It was a lonely way for the most part, and as I unraveled its long dusty miles after leaving the Shoveltown Ridge, I sighted no camp or sign of habitation; until finally along about midafternoon, I topped a rocky ridge, from which I got my first glimpse of Berry Valley—a long, narrow strip of green velvet

ribbon with a creek of glittering silver for its stripe, and with a little town, small farms and orchards for its uniquely figured pattern.

"Here," I told Silver, "is the place I have been looking for without knowing it ever since I was a boy."

Soon I dismounted before the livery stable in the main street of Nanville. I had tied Silver in his stall and was hanging up my saddle, when a half dozen men rode into the stable and climbed down stiffly from their tired, slim-bellied, lather-flecked horses.

They were grim, rough-looking men, dressed in riding boots, flannel shirts, chaps, and sombreros; they were trail worn and covered with dust, and each member of that businesslike little party was armed with either a sawed-off shotgun or a carbine.

He who seemed to be the leader of the outfit was a wiry, middle-aged man; and on his vest, just over the bulge of which indicated to me that he carried his pistol in a shoulder holster, he wore a silver badge. This man caught me in his sweeping gaze, which he ranged slowly from the soles of my new boots upward along my gangling form until our eyes met. His eyes were gray, but not the shade that one usually associates with faded blue. Rather, they were a distinct gray. His eyelids drooped a little, and the corners

of them were puckered into tight wrinkles, as if with a habitual squint—the sort a man gets from looking straight into the sun. A trace of a smile flickered in the gray eyes. The man stepped closer and gave me his hand.

"Name's Jed Forbes," he said, "sheriff of the county."

Instantly I responded to his implied request, and introduced myself. "I'm Jack Smith," I answered. "Stranger in the country—came in day before yesterday on the stage that was held up down in Chaparral Chute."

The sheriff then introduced me to the other members of his party, and to the stable buck, whom he called "Shorty" McDaniels.

"So you were one of the passengers in that little affair down there, eh? I'm sure glad to meet up with you. We've just spent two merry days and nights without much rest, hunting for the bird who turned that trick. Let's go over to the hotel and wash up," he invited; "and then have a little talk, if you don't mind. Maybe you can give me a few pointers."

A little later we sat with our chairs tilted back

against the wall in the barroom of the Nanville Hotel. The sheriff was speaking.

"This fellow, 'Jap' Slater, I'm telling you about is the best man tracker I've ever seen—and I've seen some experts in my time, too. He met us there in Chaparral Chute about daybreak yesterday and picked up the road agent's trail as soon as it got light. He nosed along that trail for seven or eight miles and then lost it; but that wasn't through any fault of his. I was more than surprised at his being able to follow it as far as he did. A long arm of lava reaches down from the lava beds above here, and it was out in the center of that where Jap lost the trail, along about noon yesterday. I think now that our man must have headed up that arm for the lava beds proper; but at the time we were there, we thought it more likely that he had crossed the arm and taken into the hill country beyond. From where we lost the trail, we had to cross a two-mile strip of this lava to reach the hills over near Big Muddy. We tried all yesterday afternoon and the biggest part of to-day to pick up the trail again there. Couldn't find it, though; and now I for one am sure that our man headed straight up that arm into the lava fields. I've notified the sheriff over on the other side to keep an

eye out for him. He's got to come out of those lava beds some time. He can't stay hid in there always. Can you give me any description of this fellow, other than that he is a tall man and that he wore a mask and a long coat?"

"Nothing more than that," I answered. "I might recognize his voice, should I chance to hear it again; but, of course, I couldn't describe that to you so that you could recognize it also. Are you sure that this man tracker of yours followed the outlaw's trail after he hit the lava? I don't see how he could have done it. Those patches of lava are all bare rock, aren't they?"

"Yes," answered the sheriff, "all bare rock. I don't know how he did it, but Slater followed our man halfway across that lava arm. Here's some evidence to prove it. Slater picked this up just before he lost the tracks near where the trail, running from the upper end of Berry Valley to Big Muddy, crosses the arm. It was coming to the trail that confused Slater. He couldn't tell whether the tracks crossed the trail or followed it."

As the sheriff finished speaking, he handed me an empty purse.

"That's strong enough evidence to convince me, all

right," I said. "Strange the holdup man was so careless, though. This purse belonged to me just before the robbery.

"Have you talked with the stage driver?" I asked Forbes a moment later.

"Yes," he answered, "but he couldn't give me any information other than the sketchy details as you have them.

"It's too bad old Sam Saylor had to get excited, put up a fight, and get killed in that mix-up. I was surprised to hear about it. He always seemed to me too smart a man to do a thing like that. Sam was the whitest man in these mountains, clear from one end of them to the other. He was a good friend of mine, and I'm going to stay over to-morrow to go to his funeral. This is going to be a hard blow on Patsy—almost too hard a blow to stand up against—Patsy and the old man were always such great chums."

"Did Slater leave a widow, or any one else besides this Patsy you mention?"

"No. Old Sam had been a widower for years, and never had but the one child. Yes, it's sure going to be hard lines on Patsy in more ways than one—there'll be that place to run without any money coming in. Old Sam always was too much of a good

fellow to take very good care of himself and his own. That was the only fault I ever heard of him having. He should have made that place of his pay; but he never seemed able to do it. Always had too many no-account rummies around working for him, that couldn't earn their salt—guess that's where the trouble lay mostly."

These were interesting pointers to me; but I did not hint to the sheriff that I was interested beyond the stage common courtesy demanded. "So," I thought, "I am going to have young Saylor for a partner, eh? Wonder what sort of chap I'll find him to be?"

On the following day I found out, and I can assure you a little beforehand that the finding out furnished one of the big surprises of my life.

At this moment a man, whom I had not seen about the place before, entered the barroom. He moved around the room, seeming to pay no attention to any one for a while, and then on several different occasions as I glanced up toward him, I surprised him in the act of studying me a little furtively, and with more curiosity in his glances than I believed my appearance warranted. Finally the sheriff noticed

this and called the stranger over to us. He introduced the man to me.

"Mr. Smith," he said, "this is Mr. Slater, the gentleman of whom I have been telling you; he's the tracker, you know. And you're also foreman on the Saylor place now, aren't you, Jap?"

Slater nodded and the sheriff resumed: "Mr. Smith, here, was in that stage robbery the other night—one of the passengers."

I was sure that Slater pricked up his ears at this information. I had somehow taken a distinct dislike to this newcomer, and I tried to get a good square look into his little black eyes, but they were too shifty for me. His thin lips twitched nervously, and his long, thin-fingered hands seemed to be forever getting into each other's way, as they fumbled from his pockets to his little receding chin, and then back to his pockets again. He was a man of about Forbes' height—five feet six or seven inches—I should judge. His form seemed rather close knit, with a hint of litheness and strength about it; but nowhere, from his absurdly small boots to his mass of wiry black hair, could I note one single feature pleasing to my eye.

Jap Slater was in no very sociable mood, it seemed; for after passing me almost cautiously his cool, rag-

limp hand for a listless shake, he withdrew it again just as cautiously; and after a few almost unintelligible, grunted words, he glided away and disappeared from the barroom, leaving me with an unpleasant, clammy feeling in the palm of my right hand, and a positive dislike for him deep down in my heart. Instinctively I knew that we should be enemies as long as we both stayed in the same country—this Jap Slater and I; just as I knew that Jed Forbes and I were always to be friends.

Forbes nodded sleepily in his chair, roused himself long enough to ask to be excused, and then stumbled off to bed.

The long day's ride in the open had made me unusually sleepy also, and a few minutes later I retired, expecting to go on the morrow to look over my new ranch and my new partner—not openly as a part owner, understand, for I had not fully decided on the course I was to follow yet.

CHAPTER VII

SILVER'S CURRYCOMB

I ATE an early breakfast next morning, and soon afterward I crossed to the livery stable to have a look at Silver—to see whether or not he had been watered and fed.

In the stable, at the far end, was a watering trough, and here I found Shorty McDaniels busy with my horse. I was surprised at what I saw; for that bronc, Silver, was standing there as agreeable as a sheep, while Shorty scratched him and brushed him from his ears to his heels with currycomb and brush. I would have bet a hundred dollars that this was the first time Silver had ever seen a currycomb. I recognized in Shorty a man who, also, had that way with horses which I have mentioned before, as I watched that bronc of mine playing in the trough, stirring up the water with his chin and poking his nose down deep to snort and throw spray over his face and against the rough plank wall.

"Some service, Shorty," I greeted. "That's the

first time that I ever had a saddle horse of mine curried in a livery stable."

"Oh, hello, there, Smith," returned Shorty, grinning. "No, it ain't customary. But as I goes to escort this gent to his mornin's mornin', he seems pretty grouchy—gives me the bad eye and snorts, same as to say that he'll climb my hump and like as not chaw an ear off'n me, if I comes in his stall. So I thought I'd sort o' handle him a bit, just to show him that he's mistaken about bein' a bad one, or that he's got any one around here buffaloed. This feller ain't no ordinary cayuse—no Injun fuzzy. He's too good a bronc to get the idea into his head that he's a bad medicine mixer. Colts, now, is just like kids. Make 'em believe they're all right, and they are all right; let 'em know you think they're bad, and they are bad—or vice versy, as I might say.

"Take this yere bronc, now, for instance. Them chaparral browsers down there in that Shoveltown Ridge country has been advertisin' round by word o' mouth, 'mong theirselves, locally an' otherwise, that this yere bronc, now, is bad somewhat; and him, the bronc, takin' notice of the reputation what's bein' saddled on to him, begins producin' what evidence he's got accordin'. But I claims he ain't bad. He's just a little kiddish

—stuck on to hisself. He ain't got the age on to him to be an outlaw for one thing. It takes the old-timers, I'm tellin' you, with education an' savvy to be the regular go-getters. I ain't sayin' that this yere cayuse, now, warn't startin' out to be bad, understand; but he's only a four-year-old, an' he can be argued out o' the notion easy. With proper handlin' he'll make as fine a cow hawss as I'd care to throw a leg over, and that's a right sizable remark for a man o' my understandin' o' hawssflesh and o' hawss sense to make. Look at him now, would you, amusin' hisself there just like a kid? So that's the hawss them Shoveltown Ridge brush dodgers down there been braggin' about bein' bad! Bad, nothing!" Shorty said, more with a final show of contempt for the Shoveltown boys than with appreciation for Silver's good qualities.

"Yes," I answered. "I think he'll turn out to be a fairly good horse in time. But if I'd known that he had a reputation for being bad, I wouldn't have bought him. Old Jake Swingle should not have sold me the horse without first telling me about that."

"Him—old Jake Swingle tell anybody anything straight? No, not none! Why, he's the biggest-headed, littlest-hearted, lyin'est old boocheky in sev-

enteen counties. They's two people in these hills that I likes same as a schoolgirl likes rattlesnakes—this old Jake Swingle party's one of 'em. And while I'm informin' you free an' easy, this a way, I might as well mention the name o' the other party—it's Jap Slater. An' I ain't carin' a ding-dong whether you go to him an' tell him or not. He's that all-fired good man tracker you've probably hearn tell about."

"What seems to be the matter with him?"

"What seems to be the matter of him?" Shorty repeated in pained surprise. Then looking at me a little more closely, he asked, "Say, did you ever meet up with the Slater varmint—ever get a good look at him?"

I nodded.

"And still you're askin' me casual-like, 'what's the matter of him?' Could you make him look you straight in the face with them little, quick-dodgin' black, Injun eyes o' hisn? Well, if you couldn't figure him for yourself, I'm goin' to tell you what I don't like about him. I don't like his black, bristly hair, nor his hooked nose, nor his narrow face, nor his low, grunty voice—that you can hardly hear when he talks—nor—nor not one single, solitary thing about him!" Shorty's voice rose excitedly to a high

pitch, and then, quieting his tones a little, he continued. "I know he's some sort o' breed—got Injun in him sure as doughnuts got holes in them. He an' old Hank drifted down this way from Modoc a while back. Guess that's where this Jap Slater varmint gets his knack o' trackin' men—up there in them lava beds where he come from."

"Who's old Hank?" I asked, more out of politeness than inquisitiveness for countryside gossip.

"Him? Oh, he's Jap's old man. He's not such a bad old cuss, I guess—but, still, I never went no great sight on him, neither. You've seen him yourself, though. He was drivin' the stage when she was held up the other night."

"Oh," I remarked, taking a real, live interest in the turn Shorty's discourse had taken. "I remember him —would like to see him again. Where can I find him?"

"Don't know. He quit his job with the stage outfit, and beat it out of the country the next day after the holdup—said he was goin' back to Modoc. Said that he was gettin' to be too old a man to stand such excitement any more. He said he got scared out; but I think he lied about that—always seemed to me

to be a pretty hard-boiled old bird. I can't figure what reason he'd have for lyin'."

Happy was right, after all, in his suspicions regarding the stage driver, I thought. Here were some new developments worth looking into. The stage driver was Jap Slater's father. Jap Slater was the professional man tracker; also the foreman on the Saylor place.

"So Sam Saylor, the man who was murdered in the holdup, did some ranching around here, did he?" I asked.

"If you call raisin' a few tons of wild hay ranchin', he did," answered Shorty. "Owned a few acres o' meadow straddle o' Ripple Creek, four or five miles east o' here on the trail to Big Muddy—last place, plumb at the head o' the valley. He ranged a few head o' scrub cow brutes in the hills back o' the ranch."

I made a careful mental note of these directions for finding the Saylor pace; and taking the rope out of Shorty's hand, I threw the saddle onto Silver.

"I'm going to take a little ride around," I told Shorty. "I'll be back in a couple hours. So you'd advise that I handle this bronc pretty easy for a while, would you?"

"I'd give you no advice about handlin' any hawss," said Shorty, "none whatever."

"How's that?" I asked.

"Let me watch a man saddle and fork his bronc," he returned, "an' that's all I want to know about his ridin' before passin' judgment. I've got your number, Smith. You're a better hand with a hawss than I am, an' that's considerable, I can say without seemin' to brag. I hear some talk among the boys down to the hotel that you're a tenderfoot come up this way for your health. You're no more tenderfoot than I am; and if you're in ill health, I'm dyin' fast. It's all right, though, as far as I'm consarned. I always allows that if a man is sittin' in any sort o' game, even 'mong old friends, he has a license to hold his cards as close as he sees fit. If you want to play tenderfoot, it's more than I can see any reason for, but that's none o' my affair—and I can forget that I know you ain't a tenderfoot. I've taken a shine to your style, though; an' if you're thinkin' o' takin' on a few friends in this neck o' the woods, I'd be pleased to head your list."

"All right, Shorty," I said, "put her there, old-timer. I'll explain the tenderfoot business some day. It has nothing to do with any crooked business; I

can tell you that about it now. I'll be glad to have you head that list."

I shook hands with Shorty; and then I rode out of the stable, past the last house at the end of the street, into the road that follows Ripple Creek, and on to the head of the valley.

The farther I traveled along this road the better I liked the looks of the country. The hills on each side of the valley were not very heavily timbered, and were pretty rocky; but I thought, from the general appearance of them, that they should be well covered with bunch grass.

After an hour or so of Silver's single-footing, I fetched up at what I knew, from Shorty's description, to be the western boundary of the Saylor ranch. Here I left the trail, crossed the meadow, and followed along the line fence on the hillside above the ranch.

The buildings, I noticed first of all, were few and in a rather tumbledown condition. A few mowing machines and hay wagons stood in the open with the paint peeled off, the iron parts rusted, and the wooden parts checked and warped. Small tools were scattered everywhere about the barnyard, and bits of harness hung along the corral fences checking in the sun. A half dozen head of scrub yearlings and ten or fifteen

buttermilk calves were heading cross lots, through gaps in old fences, toward the creek for water. I could see no troughs anywhere about the corrals. A couple of sorry-looking saddle ponies were dozing in the sun before the ramshackle barn. Pigs and chickens cluttered the open space about what I took to be the bunk house.

The only spot around the whole place that showed any signs of being kept up, or any hint of neatness, was the small house yard. The house itself was old and seemed in sad need of paint and new shingles, but it was by no means so unattractive-looking as its jumbled surroundings. There were green, blooming vines reaching in gorgeous entanglements to the roof of the low porch, and framing the windows of the lower story. There was no one moving about the place, and this I attributed to the gloom and sorrow that had lately come over the home of Sam Saylor.

Over all was that dreary hush, that fearful solemnity, which settles upon the home just before and after a funeral. The gloomy atmosphere of the place seemed only to be increased by the brightness of the sunshine on the hillside, where the birds fluttered about in the brush, scolding and laughing at us, as Silver and I disturbed them.

I turned back to the trail again and started for town feeling a little depressed. But as I rode on listening half knowingly to the drumming of Silver's hoofs in the damp trail, I soon felt the joy and thrill of life again, as every man must feel who rides in that hill country on a summer's day.

I began to plan and to vision the changes I should make around that Saylor place, once I should go there with the intention of putting things in order, and of proving my rights to do so. There would be a general clean-up, new paint, new barns and fences, a new roof for the house, and most important of all, some new stock—thoroughbreds for a start. I was more than satisfied; I was delighted with the prospects for making of that place a little stock headquarters after the dream of my heart.

Then and there, I determined to have the San Francisco attorney whom I had left in charge of collecting the payments on the Arizona property I had sold send Hapgood Day at least two thousand dollars as additional payment for my share in that ranch. Not to do so would amount to rank robbery on my part.

CHAPTER VIII

THE FUNERAL

AFTER dinner I brought a chair from the barroom to the wide, front porch of the Nanville Hotel and settled back into it comfortably for a sleepy half hour. Soon my attention was attracted by a man who came hurrying along the main street. He had on neither overshirt nor hat; the shoulder loops of his suspenders dangled against the legs of his trousers, and he seemed to be bristling with excitement. He turned from the sidewalk to enter Nanville's general store, which was just next door.

A moment later another man in a state of similar half dress came briskly from the opposite direction, hurried across the porch in front of me, and turned into the store also. Others appeared from different corners of the town, all headed for the store door.

The first man reappeared, now wearing a shirt, a collar, a tie, and a new hat. Shorty came from the stable across the way. He had changed his blue over-

alls of the morning for a pair of green-black trousers, the legs of which wrinkled over his dull-black and sticky-looking shoes. Apparently those shoes had recently received a thick coat of harness dressing. He wore a vividly striped calico shirt with a starched collar band, but no collar.

"Where are you going?" I called to him.

"Into Sol's for some riggin'," he answered over his shoulder. "Find Forbes an' tell him that I'm holding out seats for you an' him—three o'clock sharp."

I wondered what this unusual bustling was all about, as I went to look for Forbes. "Shorty's got seats saved out for you and me," I told the sheriff, when I found him a few minutes later. "I don't know what the occasion is; but that's his message."

"Sam Saylor's funeral," said Forbes. "I've got to go into Sol's and get a shirt and clean up a bit."

I went with him, and we found Sol Menzinsky, the proprietor of the store, as busy as a sheep-herder at lambing time, waiting on what I thought must be the entire male population of Nanville. Every one seemed to be trying on shirts or shoes or hats. A few of them, even, at the back end of the store, were

trying on pants. We found Shorty there struggling with a high celluloid collar, and one of those ready-knotted four-in-hand ties with a wire fastening to hook over a collar button. Nanville was dressing up. I bought a shirt and a tie, too.

Sol pulled the window shades down, followed his last customer to the sidewalk, and locked the front door of the store behind him. The half dozen other business places of the town closed their doors also. Men, women, and children, red-faced and uncomfortable in new and unusual clothes, stood about in small groups, speaking in low, sad voices. An occasional cur slunk from one side of the street to the other, with tail between legs and ears drooping. Saddle horses and horses hitched to all manner of rigs stood sleeping at the hitching-racks. The funeral gloom had crept in from the Saylor place to settle upon the little town, and every man, woman, child, and dog there seemed depressed by it.

Jed Forbes and I crossed to the stable and held a span of fiery bays while Shorty hitched them to an open spring wagon. We waited, ill at ease, till almost three o'clock, and then into view, from up the long dusty road, came Sol's flashily painted, sign-

decorated delivery wagon, slowly. Alone on the front seat, stiff as a poker in his brand-new suit of store clothes, and with all the solemnity attendant to his temporary office as driver of the hearse, rode Sol's delivery boy. In the bed of the wagon, inclosed in a rough, homemade coffin, was the body of Sam Saylor.

With muzzle lowered close to the tail gate of the wagon, followed a big, fine, iron-gray mare. She was saddled and bridled, and in each stirrup rode an empty boot. The bridle reins were looped loosely over the saddle horn, from which hung, also, an old-fashioned six-shooter, with its belt and holster. A pair of mangy chaps straddled the saddle and flopped against the mare's flanks with her every step.

I watched the gray mare closely as she came along. I saw her toss her head a little and occasionally take a short step to one side or the other, as a well-broken horse will do at the gentle slap of the reins against its neck or the pressure of a knee against its shoulder. She didn't travel like a loose animal; she traveled like an animal that is being ridden. I get funny ideas sometimes—as most men do. I got one of them now. I got the notion that old Sam Saylor was riding that big gray mare of his. I am sure, from the way in

which the mare traveled and acted, that she had the same notion.

A team pulling a covered spring wagon followed the mare. Jap Slater sat in the front seat driving this rig, and at his side sat another man, a tall, well-built, middle-aged man. In the back seat sat two women—or rather, I should say, perhaps, a woman and a girl. The woman—slender and gray-haired—huddled, crying, crying softly into her handkerchief. The girl sat rigidly upright, looking straight ahead, her gaze directed toward the mare, though lifted—at least, so I thought—to a level slightly above that of the saddle horn.

As the little cavalcade passed, every living, breathing one of us—man, woman, child, horse, and dog—in Nanville, fell in behind to follow, each one half hidden by another's dust, up out of the floor of the valley to the bleak burying ground on the hillside beyond.

The funeral service was short, and I did not pay much attention to it, for my eyes and my mind were upon the girl where she stood just across the open grave from me. She stood there like the men, bareheaded, with her hat in her hand—a man's hat it was, of soft gray felt with slightly turned brim. The wind mussed her hair, as an overfed bronc musses

the hay in his manger, and the sunlight where it fell in that tumbled hair glowed redder than desert gold.

With sorrowful, though tearless, big blue eyes she stood there looking at me—no, not at me, but through me—straight through me and beyond, but what she saw there, it was not given me to understand. Why I noticed all this so particularly I cannot say. Never before had I stopped to study the effect of sunlight in any woman's hair, or the coloring of any woman's eye.

Jap Slater stood at the girl's side in violent contrast —swarthy and bowed, with his little feet shifting uneasily, and his slim hands forever getting in each other's way in their gropings from his pockets to what nature had palmed off on him for a chin.

The minister closed his Book; some one threw a shovelful of earth to the coffin lid. The girl turned swiftly from the grave, passed to the gray mare, removed the empty, wrinkled boots from the stirrups, sprang into the saddle, and was off like a flicker of light up the road. The mare stretched out her long, slim neck, and leveled her head to balance her in her flight.

Some one helped the little gray woman back into the covered rig. Men and women and children scram-

bled into buggies, buckboards, surreys, and spring wagons, and set off briskly for home. Man's last affairs with Sam Saylor were ended.

I spoke to Jed Forbes on the way back to town.

"I didn't notice any one at the funeral that I thought could possibly be young Saylor. Was he there?"

"Why, no," returned Forbes, a little puzzled. "Saylor had no son!"

"Saylor had no son! How about this Patsy you told me about? Who is he?"

"Oh, I see," answered the sheriff, chuckling. "You mistook me. Patsy is that fine, upstanding girl that you saw race away on the gray mare."

"So, that's it," I said aloud. "First time I ever heard a girl called Patsy." And under my breath I added: "This is a fine mess for an old roughneck granger to find himself mixed up in. A girl for a partner!"

That evening I went over to the stable to have another chat with Shorty. I found him at the end of the long runway between the rows of stalls, at the wash rack near the horse trough. He was dressed once more in his blue overalls and his faded flannel shirt, and his short bowlegs were incased to the hips

in rubber boots. He was busy washing a buggy, and as he worked he sang a little song:

"Well, I went downtown to shoot some craps,
And to win some money, I thought, perhaps.
Well, I picked up the dice, and I rolled a little three,
Take the dice, gentlemen; yuh done clean me.
'Well, I do declare,' says Liver-lip Jim;
'Yuh wasn't very dirty when yuh first come in!'"

At my intrusion Shorty finished his untuneful lament.

"Just entertainin' the cayuses up a bit. Some gents you meet up with tells you, now, that bronc's ain't got no appreciation for singin' an' harmony, an' sich-like. Me, I knows different. Many's the time while ridin' herd in the hills at night, I've sung my cayuse to sleep, when he was just on the verge of havin' hysterics from gettin' a whiff of a bear in the bresh—yes, sir, sing him sound asleep, same as a nigger mammy singin' a pickaninny to sleep. Some gents might not be able to do the same, understand, but me now, I got this yere horse medicine down pat."

"Shorty," I broke in, "I'm going to look for some sort of ranch job hereabouts. I'm getting tired of loafing, and I want to learn something about this country firsthand. So far she looks good to me, and

I might pick up some sort of headquarters for myself later on—after I get the lay of the land a bit."

"Ain't much doin' around here just now," Shorty informed me. "It's a month too early for hayin', and that's about all that goes on around here, except a little ridin' after stock in the hill range—but, say, now that old Sam Saylor's gone, seems to me Patsy'll be pretty short-handed. You might get on out to the Saylor place—only one man to do what work there is to be done out there now, and this yere Jap Slater to boss him. That's one drawback about the job, though—you'd have Patsy for your regular boss, an' that's fair enough—but you'd have to stand for Jap bein' a sort o' foreman over you. And that, I should judge, would be pretty hard medicine for a man like you to swaller."

"Oh, I don't think I'd mind that much," I told him. "I could do my work, and I don't suppose he'd interfere with me a great deal."

"Perhaps not," said Shorty, a little doubtfully. "Still I'm tellin' you, if you go out there, keep your eye on him. That hombre's crazy as a dodo bird."

"What's he crazy about?" I questioned. "Maybe I can humor him."

"He's crazy about Patsy—crazy in love with her,

an' crazy jealous. Think you'll be so keen to humor him, when there's a girl like this yere, now, Patsy consarned?"

Somehow I felt keenly aware of the fact that I couldn't; but I only smiled in response to Shorty's question.

"What this yere, now, Patsy girl can see in that ornery Jap Slater is more than I can savvy," concluded Shorty ruefully.

CHAPTER IX

THE GIRL PARTNER

ALONG toward midforenoon next day, with a roll of blankets tied behind the cantle of my saddle, I set out again for the Saylor place. I found no one about the corrals or around the bunk house. The ranch seemed to be deserted. I rode up to the gate of the yard fence, left Silver there, and went to knock on the kitchen door. The little gray woman whom I had seen at the funeral came to let me in. Her eyes were red as if from crying.

"I have come to see the foreman about getting a job," I said.

"Mr. Slater," she answered, "is out on the range looking after some cattle just now. Perhaps Miss Saylor can tell you whether or not there might be a place for you here. Patricia," she called in a louder voice.

A moment later Miss Saylor stood there before me. I repeated to her the nature of my call; and my tongue, which is usually glib enough, faltered a little. I

stood there fumbling with my sombrero almost in abasement.

"We are going to need another man," she said; "but I—I——" she paused.

I thought that I understood the reason for her hesitancy.

"Perhaps I am not a man with experience enough for a job like this," I informed her; "but I woudn't expect top wages at first—wouldn't care particularly about the pay until I began to get the run of things."

She stood looking with an admiring eye toward Silver as I spoke. When she turned back to me she was smiling.

"I see you are riding Silver," she said. "That will be recommendation enough. Greenhorns don't go about the country riding horses like that Shoveltown roan there. I was not doubting that you could hold down the job all right—but——" She paused again and then resolutely went on. "You have probably heard that my father was shot the other day in a stage holdup down in Chaparral Chute."

I nodded. "I was a passenger with him at the time," I answered.

It seemed that she began to take a great deal more interest in me now. She looked me carefully up and

down with her wide, steady, blue eyes, until my face began to flush. And then wiping her hand, which was covered with flour, upon her apron, she gave it to me in a firm, pleasing grip—the handshake of a man.

"I am pleased to know you, Mr.——"

"Smith," I added for her, "Jack Smith."

"Mr. Smith, I want to have a talk with you some time about that robbery and—and murder down in the Chaparral Chute. There's a good deal about it that seems strange to me. Dad wasn't a coward by any means—he would fight quick enough to protect himself—but he wouldn't make a move for his gun if a man had the drop on him, as Hank Slater said. Did the robber have the drop?"

"He did," I answered. "He had two of us lined up on the ground. Your father remained in the stage; but the robber kept us all covered. His gun swung from one to another of us, back and forth; and he was no slouch with that gun, either."

"And did dad really draw, or make a move to draw?" she asked.

"I don't think he did," I returned; "but I am not sure as to that. I had my back to him—I couldn't see."

"I'd like to have you tell me all you know about

this later. But, as I was going to say when I interrupted myself, father left us in rather strained circumstances here. He had just sold a small bunch of beef cattle. He got his pay for them at Downing—a little over fifteen hundred dollars in bills. He must have had the money with him when—when the stage was held up. That fifteen hundred dollars would have helped us out here on the place wonderfully. We needed that money to keep things going. We own only half of this place—pay rent on the other half—and we are going to be hard pressed to meet running expenses, until we get more stock in shape to turn off. That is why I am a little doubtful about hiring the help we really need now. We couldn't, perhaps, pay a man his wages at just the moment he might ask for it. I am planning arrangements"—she paused with cheeks flushing—"I may make arrangements, later on, that will bring money to go ahead with, as I would like to do."

Thinking of making arrangements—planning! Why should this fluster a girl who at other times apparently held herself in such good control. I recalled what Shorty had inferred. No, it couldn't be possible! This clean, wonderful, clear-sighted girl

couldn't be thinking of marryng a man like Slater. It was all too preposterous!

"I wouldn't care about that part of it, Miss Saylor. If I go to work for you here, we can let my wages ride. I have a few dollars of my own saved up, which will do for all my needs for some time to come. I might pick up some sort of little layout of my own hereabouts later on; if so I would be glad to take my wages out in cows and calves, as you can spare them, to stock my own place."

"Thank you," she said. "I can promise that you'll get your pay some time or other, and perhaps you won't ever have to wait for it very long after it is due—that is, if we decide to hire you. Mr. Slater is—well, I might say, my foreman. I should like to speak to him about this matter before giving you a definite answer. He will be back some time this afternoon. Meanwhile I should like to have you come in and make yourself at home."

"If you don't mind," I answered, "I would rather pass the time looking over the place."

"Certainly," she said. "Stand your horse in the barn and keep an ear out for the dinner gong."

I spent the remainder of the forenoon cleaning out

the horse stable. I wouldn't stand Silver in any stall there without first mucking it out.

Jap Slater didn't show up until almost supper time. Miss Saylor called me into the house and began to introduce us. I interrupted her.

"I met Mr. Slater in town the other night," I told her.

Slater grunted something that I couldn't understand, and nodded grudgingly, but did not offer me his hand. I was glad of this. I doubt that I would have shaken hands with him even had he insisted on that formality. I had had enough of the feel of that man's hand. I am going to tell you again that I did not like him; and I am going to keep right on telling you that same thing throughout this whole yarn. Slater evened things up pretty well for us, though, for he didn't like me, and he never went to any great pains to hide that fact.

When Miss Saylor proposed to him that they hire me, Jap Slater began grunting protests and objections, without any other grunts to explain or to back up his stand. Miss Saylor listened to him for a while politely enough, and then she became insistent. She had determination, all right, and a will and a mind of her own, as I was soon to learn.

"Men are scarce," she said finally, "and we'll have to hire help or give up trying to do anything here. Mr. Smith's offer to work for us under the conditions I have outlined for him is more than fair; it is generous. I am going to offer him seventy-five dollars a month straight time for a start. If he accepts, his time begins from this morning. I had a look in at the stable a while ago, and I'll say that already he has done the biggest day's work for one man that has ever been done on this place. This ranch is a disgrace, the way everything is jumbled up. If Mr. Smith decides to stay, we'll start in in the morning to straighten things up a bit—patch up some of the tumble-down fences, and get the tools ready for the haying season. I'm going to have some system here—this place is going to more than pay its way from now on, or I'm going to walk away from it."

I was surprised, dumfounded. I didn't know much about girls in those days, but I thought that for the most part they chattered and giggled, and didn't know the knack of talking surefire words straight out.

I went to spread my blankets in the bunk house, which I found to be a great deal more cheerful within than without. The floor was clean swept; there were crisp, dainty curtains at the windows, and a small read-

ing table with a clean cloth cover and a kerosene lamp. There were books and magazines on a shelf along the wall, and a phonograph and some records on another table. In one corner was a washbowl with running water piped from the spring; there were chairs, a stove, and a clothes closet, all neatly arranged. In fact, the place had enough of the small comforts of life to make it seem homelike. I had seen a good many bunk houses in my time, but never before one that caught my fancy as did this.

I noticed only one peculiarity which seemed to me out of keeping with the general atmosphere of open-handed welcome about the place. This was a strong night latch of modern patent, and it was fitted into the closed door of a partition that ran across the bunk house to form a small room at the rear. I wondered vaguely what could be stored in the back room of a bunk house that necessitated such an extraordinary lock for protection.

There were six beds in the bunk house proper—spring cots with mattresses—but only one other cot besides my own had blankets on it. I had met a man at the supper table that evening, but had not spoken more than two or three words with him. He was the man who had ridden on the front seat with Jap Slater

in the funeral procession. He entered the bunk house now just as I finished making my bed. The other cot with the blankets spread evidently belonged to him. I wondered where Slater was to sleep—if I was to have him also for a roommate.

I made two or three attempts to get the newcomer into conversation, but had little success. He told me, however, that his name was Grayson. He was not typical of the cowboys of the big, open range country from which I had come. He seemed to be a man more after the fashion of ranch hands whom I had met on the great grain ranches in the San Joaquin and the Sacramento valleys; and I noticed nothing unusual about him to interest me particularly at the time, except that he was tall—as tall as I—as tall as the stage robber of Chaparral Chute. I watched him carefully as he moved about, but I saw no hint of a limp in his gait. And there was something in his manner—something besides his lack of lameness that seemed to assure me he could not be my man. Still, I decided to keep an eye on him, as well as on Slater. I determined to find out whether or not the two were great friends, or had any secret business in common. Because of some strange prompting I was bound to connect Slater with that stage holdup in some way.

Before we turned in, Slater entered and passed, without a look or a word for either Grayson or me, to the room behind the locked door. Nor had Grayson glanced up as Slater passed near to where he sat on the edge of his bunk. I was watching him closely, and I sensed that he, too, had little respect and no use for my new foreman—or else both of them had rôles of their own to play.

My first two weeks at the ranch were uneventful, and I shall pass them over quickly in the telling.

Miss Saylor, Grayson, and I worked hard every week day cleaning up around the corrals and the yards. We repaired fences, got the farm machinery in readiness for the haying season, mended and oiled harnesses; and at last caught up the horses to be driven to the rakes, mowers, and hay wagons.

While this general roustabout work was going on, Miss Saylor did her part as well as a man. She drove the big wagon while Grayson and I loaded it with trash. She helped us nail boards, set posts, and stretch wire on the fence lines. She roped her share of the half-tamed horses, handled them, and fitted their harnesses to them. Notwithstanding the fact that she was a large, robust young woman, I was surprised at her ability to work alongside men like Grayson and me

without once having to call a halt for rest. She not only worked at man's work through the long working hours, but she also helped the little gray woman—whom I had now come to know as Miss Squires, an aunt to Miss Saylor on her mother's side—with the housework during odd hours.

At no time during these two strenuous weeks did Jap Slater condescend to give us a hand with the work. He spent a few hours occasionally riding after stock in the hill range, and he made several trips to town to line up a crew for the haying job. He didn't even take care of his own horse. Grayson and I had to take turns doing that for him, and I found that the most disagreeable thing about my new berth. I am the sort of man who can do a hard, honest day's work under conditions at all reasonable, but this business of taking care of an able-bodied man's saddle horse for him seemed too much like a flunky's job for me to relish.

Grayson and I took care of Slater's horse, because we knew that if we didn't Miss Saylor would. Slater insisted on being waited on hand and foot by the women at table and around the house, and every time I saw one of them—more especially Miss Saylor—doing anything for him, I grew dizzy with the desire to

grind Jap Slater's rat face under the high heel of my boot.

I told myself the first time he gave me half an excuse I should at least manhandle him a bit. But I was mistaken in this. The excuse came one day, and it was the sort of excuse that would usually set me to fighting quicker than any other.

Jap Slater kicked my saddle horse—walked up to Silver, where he stood tied in the stall, and kicked him in the stomach! I caught him in the very act, but I didn't maul him for it. When it came to a showdown, he seemed too small, too insignificant, for me to mix it with. But I couldn't help talking to him then. I told him as vividly as I knew how what I'd do to him if the same thing ever happened again.

Miss Saylor came along just then—whether accidentally or not, I don't know—and I walked away from Slater, ashamed, wondering whether or not the best thing for me to do would be to leave the ranch. However, I decided to stay, in spite of Slater. I thought that I had business of my own to look out for there on that ranch.

At last we finished with all the odd jobs of getting things in shape to go ahead with cutting and putting up the hay. The evenings in the bunk house had been

rather long and lonesome ones for me. Grayson seldom spoke over half a dozen words during an entire evening. He spent his every spare moment reading. He crammed reading in between gongs at noontime; he read through half of every night. He read everything, anything that came to hand, novels and magazines, advertisements and all, without missing a word, I think. He found a Bible and read that—read it through from cover to cover in a remarkably short time. Never have I run across another man with such print-hungry eyes.

CHAPTER X

WARNED TOO LATE

IT was a holiday in the hill country. We had finished the two weeks of preparatory work, and Slater had driven to town for his haying crew, that the men might be on hand to begin cutting early the next morning. I had washed a few clothes and was hanging them on the wire fence to dry when Miss Saylor, dressed in a divided riding skirt, came from the house toward me.

"I am going for a short ride back in the hills," she said, "to have a look at the feed. Would you care to come along?"

"I was just thinking of saddling up Silver to take a ride myself," I answered. "I'd better go along with you and get a little familiar with the range."

I thought that I was going to be glad enough to talk to any one after my long spell of silence around the bunk house, but as Miss Saylor and I rode along side by side into the low hills I began to wonder what I was going to talk about. I had never had much experience in talking to girls, at least not to girls like Miss Saylor.

She came to my rescue, though, and began to talk about grass and water and cattle, and it wasn't long till I found that I had plenty to say, and I found a way for saying it quite naturally, too.

Let two people who understand and are all wrapped up in the same business get together, and they will usually find conversation easy enough. I thought I knew a good deal about stock—about feeding them and fattening them for market, handling them and breeding them; but Miss Saylor told me things that I did not know—things that sounded reasonable to me, too, after her explanations. I began to take more interest in my new partner—in a businesslike way.

In turn, I told her something about horses that she didn't know. She was riding the big, iron-gray mare —the one I had seen her race away from her father's half-filled grave.

"Take that mare of yours, now, for instance," I told her to illustrate a point I was trying to make; "she's well bred. She comes directly from one of the finest strains of running blood in America. Notice the shape of her hoof, the trimness of her pastern, the height of her withers, the depth of her chest. She's almost perfect in all these points which go to make for speed and endurance; and still she's an animal that I

wouldn't want to ride—and one that you shouldn't ride, either."

"I don't agree with you there," returned Miss Saylor. "Snowbird is good-natured and gentle—safe as a hobbyhorse."

"Still I'm going to differ with you about her being safe. She's built more for speed than for sure-footedness, and she's altogether too high-strung, too nervous. Her quivering nostrils and her quick-moving eyes tell me that. She's what I'd call temperamental. I'd feel safer on an outlaw for this sort of going. I don't mind riding a horse that loses its temper now and then, but I won't take chances with one that is apt to get excited and lose its head. I'm afraid of flighty horses, and that mare is flighty. She's safe enough as long as everything goes right, but let her get scared, and she'd be hard to handle—too many nerves, too much imagination. Take my word for it and always keep your eye on Snowbird. I'd watch her closer than I would a man-eater."

"Why, Snowbird is an old family stand-by. I wouldn't take a small fortune for her this minute."

Miss Saylor laughed at me. Then the thing happened, following so closely my words of warning as to make it all seem uncanny. We were crossing a shal-

low, rocky draw at the time. The mare picked up, with one hind foot, a loose strand of fence wire, and the wire dragged for a few feet through the brush behind her.

At the first tug of the wire the mare became frantic —stark, raving mad. She snorted once and soared into the air, half stumbled when she hit the ground again, gathered her feet in a flash, and was off across the rocky draw, all in the flicker of an eyelid.

I spurred my own horse into a mad race to follow, but as for Silver's chances of overtaking that mare, he had none, no more than if he had been snubbed to a tree. I saw in a twinkling that the girl was riding well, but in that same twinkling I saw the big saddle lift from the back of the mare and fall to the ground with the girl still clinging to it. She had jerked the coiled hackamore rope loose from the pommel of the saddle at the mare's first lunge, but in some unaccountable way the coils of the rope looped about her arm and tightened. Her body dragged almost under the murderous heels of the mare.

The mare tossed her head high, as if to jerk it loose from the dragging weight, and I caught it in that toss with a lucky bullet from my automatic. The mare's

legs crumpled and her awful momentum hurled her headforemost among the boulders in the dry wash.

Miss Saylor had scrambled to her feet by the time I reached her. She stood untangling the rope from her arm.

"Not very badly hurt," she hastened to answer my mute, anxious questioning; "at least, no bones broken. If I hadn't caught the rope with my free hand, though, I'm afraid my arm would have been pulled from its socket."

She had paled a little, and her laugh was shaky; but she did not seem to be so nervous over the accident as I was myself. I led her to a log at one side of the trail where we sat down.

"I got a thousand and one bumps and bruises," she said, "and I'll be sore and stiff enough to-morrow. I was lucky, though," she went on; "lucky to have a man with me who knows how to use a gun and to use it quick. It makes me feel faint to imagine what I'd look like now if you hadn't acted just when you did. I'll listen to whatever you have to say about horses after this. I have always been too sure of myself with Snowbird. This affair places me under obligations to you for life."

"It may surprise you to know that I am the sort of

man to take advantage of that fact," I told her, "but I am. I have told you something about horses, and now I am going to tell you something about men—Jap Slater for a starter," I said bluntly. "He's no good, understand; absolutely no good!"

She bridled instantly. "What right have you to say that about Mr. Slater?" she asked.

"It's not my right," I told her; "it's my duty—just as it was my duty to tell you about Snowbird. I hear that you are intending to marry Jap Slater; I advise you not to do it."

"I did not know," she returned hotly, "that our engagement was common talk."

"Perhaps it isn't; but it's kitchen gossip, at least. Your aunt, for one, told me about it; and I take it she has no more use for Slater than I have."

"Just because you and my aunt don't like him," she retorted, "is that any reason why I shouldn't—shouldn't—— You have gone so far now that you will have to go on. You say that Mr. Slater is no good; you'll have to back that up with something more than the fact that you and my aunt don't like him."

"There is not a man, a woman, or a child from one end of this country to the other that does like him," I answered doggedly.

"That's not true, Mr. Smith. There is at least one person in this country that does like him. Do you think I am the sort of girl who would promise to marry a man I didn't care for?"

"Of course not," I answered. "But it seems too unfortunate, too tragic for a girl like you to care for a man like Slater. I—I can't understand it."

"Perhaps it isn't necessary that you should," she replied curtly.

"I am going to tell you something," this goaded me to blurt out, "something that will at least interest you, if not convince you. The stage driver lied about your father's having tried to put up a fight—he didn't try to draw his gun!"

"You told me you couldn't see my father when he—he—was——"

"I couldn't see him," I admitted. "But the man who was lined up with me alongside the stage did see him out of the corner of his eye. Your father was holding his hands above his head; he made no move to get his gun. I suspect that your father recognized the bandit. He made the mistake of expressing surprise at being held up by an acquaintance."

"What did my father say?" asked the girl.

" 'Oh, it's you——' Then he was interrupted by the shot."

The girl sat frowning for a moment. "Well, what has that to do with Mr. Slater?" she asked at last.

"Jap Slater says that he was riding after cattle on the afternoon of the robbery—a flimsy alibi. He was the only man around here likely to know that your father would be in that stage with the money in his pocket he had received for his beef cattle. The stage driver lied—and the stage driver is Jap Slater's father. I have a suspicion that Jap Slater knew something about that robbery—had something to do with it."

"That is a pretty serious offense to accuse a man of in this country," the girl informed me.

"It is," I answered, "and I am in a serious mood. Part of my business in this country is to find out who held up that stage."

"Oh," retorted the girl sneeringly, "so you are a private detective and not the tenderfoot ranch hand you pretended to be."

"No," I answered, "I'm not a detective. I have a strong personal interest in the affair, though."

"Anyway, I can't see that all this has anything to do with Mr. Slater. If you suspected him from the first

of having anything to do with the holdup, why didn't you tell the sheriff—why didn't you tell me when I asked you about this before?"

"Because I wanted something more than vague suspicions. I am going to keep my eye on Jap Slater. Some day I may get some evidence; then I'll have a talk with the sheriff."

"Jake Swingle says that you told him that the robber was a man as tall as you are."

"I did."

The girl laughed.

"Then all your argument seems preposterous."

"No, not necessarily. I'm not saying that I suspect Jap Slater of robbing the stage and of shooting your father; but I am saying that I think he knows something about it all that he has managed to keep pretty well to himself so far."

To this day I can not understand how I blundered into saying all this to Miss Saylor. My excitement, brought about by the accident, must have loosened my foolish tongue.

"Of course, Miss Saylor," I said, as we arose to go, "I hope that you won't say anything about what I have just told you. My excitement must have got the best

of my judgment. I had intended to keep all that I have said to you a secret for a while."

"Under the circumstances, of course," she answered, "I shall not repeat what you have told me. I should like to see you catch the stage robber, and I should be glad to help you do it. I think, though, that you are on the wrong track."

I examined the saddle on the ground and found it to be about as good as ever, except for the broken latigo. This I replaced with one from my own rig, which I removed from Silver's back and cached in an oak at one side of the trail. I put Miss Saylor's saddle on Silver, helped her to mount, and we started back for the ranch, I on foot.

We went along for some time without saying anything. At last Miss Saylor broke the silence.

"I suppose you think me snippish," she said, "because I refused so outspokenly to take your advice."

"Regarding Slater?"

"Yes."

"Well, no. I rather like people to be outspoken with me. Perhaps in the first place I had no right to say what I did to you. But I dislike this man Slater so much that I had to come out with it sooner or later. It seems so unnatural, so unfortunate for a girl such as

you to care enough for a man like Slater to marry him."

"Sometimes there are things besides love that have to do with a girl's marrying a man."

"That's my point exactly. A little sound reasoning should go with love. I tried to set you to reasoning. If——"

"You don't understand me," she interrupted. "Perhaps I've done more reasoning than you realize. I am going to be frank with you and tell you all about it. I've already told you of the condition father left things in at the ranch. We start to put up the hay in the morning, and I haven't money enough to pay off the men when we finish the job. Mr. Slater has money. When we are married he will have the same interest in the ranch that I have, and we will be able to meet our bills."

"Then you don't care so much for him, after all," I said quickly; "it's more the case of a showdown with you?"

"I haven't said that I do not care for him. I do! I'll make him a good wife——"

"Yes, I know that, all right," I cut in. "But how about him? Will he make you a good husband? I know that he won't!"

"I'll see that he always treats me with what respect I deserve," she answered.

"See here, Miss Saylor," I said, "while we are speaking straight out, let me make you a proposition. I have a little money saved up, as I told you before. I'll lend you any part of five thousand dollars you may need to get straightened out here. Put Slater off for six months. I'll gamble by that time you wouldn't marry him for a million. You watch him play his hand, and you'll see him show his whole card before then."

"I couldn't borrow money from you without giving you security," she refused. "My half interest in the ranch is already mortgaged for all it will stand."

"I wouldn't ask security," I answered. "I have taken an interest in the Ripple Creek ranch—and in you—a greater interest than——"

She stopped me.

"I hope you are not going to propose to me, Mr. Smith. Under the circumstances——"

I sensed a note of alarm in her voice. I laughed outright. Then I blushed and grew fidgety. "I propose! Why, no, Miss Saylor. I don't hold myself in any such great esteem as all that! Why, I—I'm just a—well, just an ordinary sort of plug. Why, I'm—

well, courting and proposing such things are not in my line, anyway, I guess."

She laughed now good-naturedly. "I shouldn't have said that. I see my mistake. Just my mentioning such a thing frightened you. You wouldn't think of marrying me, of course!"

"No, I wouldn't, Miss Saylor. I'm not good enough for you, and, furthermore, Jap Slater is not one half the man that I am, in any way, at any time, or in any place. And I'm going to do my best to keep him from marrying you, in any open and aboveboard manner that I can think of. Everything that I've told you about him I'm going to tell him to his face some day. I'm putting it off only because I want more to go with it—and because I don't want him to know just yet that I suspect him of having had anything to do with that holdup in Chaparral Chute. I have a hunch that I am going to run down the real holdup man before long."

"No one could be more glad to see you do it than I," answered Miss Saylor. "I am not going to take offense at anything you have said. I want to be always your friend, after to-day."

"Will you promise me now," I asked, still persistently, "not to set the day of your wedding until haying is over? And will you tell me about it first of

all—even before you tell Slater—if you should decide to set the time? I'm sure money matters will straighten themselves out somehow; they usually do."

"I'll promise you," she said a little reluctantly, I thought; and still there seemed to be a tone of hopefulness, gladness in her words.

We arrived home before noon. Finding no one at the ranch except Miss Squires, I borrowed one of the ranch saddles and set out for Nanville on my first visit to that place since I had come to work at the ranch.

CHAPTER XI

THE EVASION

SHORTY seemed glad to see me when I rode into the stable.

"I landed that job at the Saylor place all O. K.," I told him.

"I knowed that," Shorty answered. "I heard Jap Slater mention it over at the hotel. He's been lickerin' up on the sly. Got a couple of bottles of it somewheres. He's speakin' disrespectful by jerks, and most o' his remarks alludes to you. Ain't you found no excuse to muss him a bit in them two weeks you been out there with him?"

"Only one," I answered, "and I let that chance go by. He hasn't said anything to me, but he kicked Silver once."

"That—that Jap Slater kicked your hawss in the belly, an' you didn't kill him off?" Shorty said surprisedly.

"He seemed so paltry," I answered, "that I was ashamed to hit him. All I could win by fighting a man

like Slater would be a reputation for being a bully, and I don't want that."

"Well," offered Shorty, "I'll beat him up for you some time. I ain't ashamed to hit him none. He's bigger than me! Say," he went on, motioning with a thumb toward the saloon across the street, "you go over there an' see for yourself if what I'm tellin' you about him bein' most Injun ain't right. Watch him when he takes his licker. Drinks alone, an' when he feels the kick of it, he don't get sociable none—just grunts lies an' insults about some party which ain't there to make him back 'em up. Stand that there Silver hawss in a stall an' give him a feed o' oats, Jack."

"He's done nothing but eat for two weeks," I told Shorty; "he's getting too sassy. I'll ride him over and tie him to the hitching rack in front of the hotel. I'm not going to stay in town more than an hour or two, anyway."

I found the saloon crowded with noisy men. They were strangers in Nanville for the most part, men who had come from the lower country into the cooler hills to work in the hay—hay tourists they are called. I saw Jap Slater there; but he left the room a moment after I entered without speaking to me. I met Grayson there, also.

This man, whom I had been with continually, night and day, for the past two weeks, and who had not spoken half a dozen unnecessary words to me, I now found to be the most talkative man I have ever run across. His words tumbled over one another, each striving for first utterance, and all forming a flood of half-coherent jargon. He seemed to be giving voice to an argument, a recital, and an encomium all at once. I caught broken bits of quotations from all the books with which I was familiar, from the Bible to Diamond Dick. Grayson's going on this verbal rampage did not surprise me. Let a man gorge, stuff, and cram himself with words week after week, and he'll at last come to a pass where he has to unload in a hurry —as Grayson was doing now—or burst wide open from the pressure.

I had met men of Grayson's type in all the camps along my trail—men who would chuck themselves full of words, and who would not let a single one escape them except by accident, until a few drinks would set the whole mass to milling around inside them, and who would then try to unload in a minute a cargo which had taken months to stow away.

Grayson roped, threw, and hog-tied me with a lariat of words—long words and short words, words that

were old friends of mine, and words that were total strangers to me—words that would have driven Shakespeare to murder Grayson could he but have been there.

The natives of Nanville, taken by and large, are not a literary sort. They couldn't name Grayson's peculiarity from where they sat, so, of course, they just branded him plain crazy. Finally I broke away from Grayson and went outside to the hitching rack for my horse. I was afraid that if I stayed there too long I'd become verbose myself.

Silver had never made a crooked move that I could notice since the day I bought him. Still I had always kept my eye on him and handled him with care. I swung into the saddle and wheeled Silver from the rack into the middle of the road, and straightaway I undertook the hardest bit of riding that had ever come my way. That strawberry roan threw a hinge into his short back, bunched all four feet, shoved his head down into the tangle of legs and tail, and left the saddle teetering dizzily on the hump in his back like a rocking-chair on a church steeple. Then he shot straight into the air with the saddle, gave it a couple of vicious shakes, and came down stiff-legged to balance it on his hump for another fling.

That first jump had almost upset me, what with the unexpectedness of it and the clumsy borrowed saddle, the tree of which was too big for me. I had pulled leather and kicked my feet loose from the stirrups, which were far too short for me.

Now all the old-time thrill of riding a bad one came back to me and made me forget, for a time, all about the rôle of tenderfoot I had been trying to play here at Nanville. I settled low in the saddle, caught the cinch bars with the hooks of my spurs, and left the stirrups to dangle. I slapped Silver over the ears with my sombrero and dared him, with a yell, to go to it. I was half mad from the surprise he had given me, but at the same time I felt a craving for the excitement of an old-time riding bout. I got it—got all I longed for and then some. But I rode him—rode him when he hit the ground sidewise, backward, and forward with force enough to bounce him into the air again.

Every jar seemed only to hold me closer into the saddle. He changed end for end in mid-air, but he couldn't trick me there. He reared up and fell over backward, but I got into the clear before he hit the ground, and then back into the saddle again before he could scramble to his nimble feet to start in all over. And I kept right on riding that tough little strawberry

roan till he quit like a dog, there in the main street, with all Nanville looking on. I swung cautiously to the ground. I felt so well shaken inside that I was afraid to hit the hard street naturally—afraid that I'd come apart in a hundred pieces.

Shorty stood there grinning, with outstretched hand.

"Put her there, old-timer. You sure took that bronc to a ridin', and he's the glibbest-geared cayuse I ever see work out, which same is remarkin' considerable. But whatever do you suppose touched him off like that?"

"I don't know for sure," I answered; "but I'm just beginning to get an idea. We'll have a look to see if I'm right."

I pulled off the saddle, and there, buried in Silver's back, were two tin beer-bottle caps. Their sharp, corrugated edges had cut through the tough hide in places.

"Some one must have put them there," I said.

"Sure," returned Shorty. "Silver didn't do it hisself."

"I see a gent foolin' around your hawss, stranger, just before you come out of the saloon," spoke up one of the bystanders, a hay tourist.

"Which gent?" asked Shorty quickly.

The hay tourist pointed a finger at a man who was

just passing from sight beyond the swinging doors of the barroom. That man was Jap Slater. Putting down another black mark against Slater in my memory, I saddled Silver again and started back for the ranch.

That night a half dozen hay tourists came out in the big wagon with Jap Slater. They seemed a little the worse for the day's celebration in Nanville, and they spread their blankets in the bunk house noisily. Grayson returned later, still talking. He tumbled into his bunk talking, went to sleep talking, and talked in his sleep, off and on, nearly all the rest of the night.

Slater passed through the main room of the bunk house, on the way to his own room, without a word or a nod, just as usual, except that he seemed a little unsteady on his feet—wabbly. He kept his lamp burning far into the night. I could see the light from it shining through the crack beneath his door. Also, I could hear him moving about, and once or twice I heard the clinking of coins—not a jingle, such as comes from shaking change in the pocket, but more of a clanking sound, such as you would expect pieces of gold and silver to make when jostled together in a box. Slater, I told myself, was a miser. He had the money Miss Saylor had mentioned him telling her about hidden in

his room. He was drunk now and not so cautious as usual.

At last I dropped off to sleep. There would be a job of considerable size staring me in the face in the morning.

CHAPTER XII

DURING THE HAYING

WE had been making hay on the Ripple Creek Ranch four days without anything unusual or unexpected taking place. There had been two or three runaways among the wagon teams; but such accidents are not unusual in hay fields where the stock haven't been worked since the season before and where many of the drivers are green hands. But on the morning of the fifth day I got a hand tangled in the mechanism of a mower and a shoulder sprained when the team I was driving ran away and dumped me at the creek crossing.

Now, a mowing machine is a wicked rig to be caught out with in a mixup, and I consider that I got away pretty luckily. I caught my team in a fence corner and examined the harness. I found that a splice in one of the breast straps had pulled apart. I was surprised at this, for I had spliced that strap myself. On closer examination I found that the punch holes in the leather where the rivets had been had no ragged edges.

From this discovery I reasoned that the clinches of

the rivets must have been straightened out with a pair of pliers by some one who knew that the first unusual strain on the neck yoke would sever the strap, let the tongue drop, and thus certainly cause a runaway. I made a guess as to who might be expected to play so scurvy a trick on me, and let it go at that for the time being.

Miss Saylor was raking at the time of the accident. She hitched her team to a wagon and drove me to town to have my hand dressed. We brought a man back with us to take my place for a few days. I did not say anything to her about the rivets with the straightened clinches, but I saw her examine them for herself, and, although she made no comment on her findings, I am sure that I saw a flush of anger pass over her face.

Next morning I caught Silver from the pasture and led him up the hill trail to where I had cached my saddle a few days before. I replaced the missing latigo, saddled Silver, and went for a ride farther into the hills. In an hour or so I reached a higher, flatter country. I crossed a neck of lava. This I judged to be the place where Slater, according to the sheriff's story, had lost the trail of the bad man on the day after the robbery.

Among the low hills, some four or five miles beyond

the lava flat, I could see a sharp, black little butte. Miss Saylor had pointed this butte out to me before. She had called it the Hayshock. I headed toward it, finding good grass feed all along the way, but no water. At last, within about a mile of the butte, I came out upon a big water hole ringed around by a small, unfenced meadow.

There were some salt troughs near the water hole, with a well-beaten cattle trail leading across the little, close-cropped meadow toward them. Never before had I come upon a place that gave me a feeling of being so far away from civilization. But, studying the lay of the country from where I stood, I visioned a change that I knew must some day come over it. I could see the gap in the hills back along the way I had come like a narrow, open gateway. Some day a hungry railroad would nose its way into those hills. It would come up Ripple Creek, accept the welcome of the pass above the Ripple Creek Ranch, cross the arm of lava, wind up the gently sloping draw, which flattened out at the water hole, and then push on to the big pine country beyond.

I had heard about this big, timbered plateau, and now I could see the waving tops of the pine trees through the gap at the foot of the Hayshock Butte. I

could see the feasible route for a railroad clean from the Sacramento Valley into the big flat of virgin pine as clearly with my mind's eye as if the location engineer's maps were spread out before me. I sat half dreaming while in my fancy giant locomotives came down the grade and passed me there at the water hole, wheeling their creaking cars of logs; I was sure that my dream would come true within less than half a dozen years.

My ramblings had always been along the border that divides new ventures from the old—a border that continually shifts, making for the one inevitable end, expansion of the tame, contraction of the wild. In dozens of places I had seen the inexorable scheme work out, and I had never taken advantage of opportunities offered to those first on the ground. I had always shoved on ahead of that border line, shifted with the frontier.

As I sat there then, I decided to follow a new course in the future. Here I had stumbled onto a new country of wonderful opportunities again, just ahead of the engineers. I would stick this time—get something for my own on the first-come-first-served theory, and then wait for the railroad, for the mills, and the markets.

I got the idea that the big spring was probably located on unappropriated government land. I took from my pocket a small compass, which I always carry with me, and set out up the hill back of the water hole. Within a half mile I found what I was looking for, a blaze on a tree—a bull pine. On the opposite side of the tree I found another similar blaze, and I knew that I had picked up a section line of the old government survey. With my compass I ran a course east, and soon picked up another blaze in line with the first. I followed the line for a little over a quarter of a mile, picking up occasional blazes along the way, and then I found the section corner.

One of the witness trees was an oak, and, although the survey had been made over thirty years before, I plainly could make out the witness marks carved in the sound wood of the tree. From the marks I made out the number of the section, the township, and the range. All that remained for me to do to locate exactly the position of the water hole was to pace back on the line. This I did.

After determining which subdivision of forty acres comprised the water hole, I selected enough more land adjoining to make up an entry of one hundred and sixty acres. I wrote the numbers of the location down

in my memorandum book, got my horse, and set out for the ranch.

I arrived home too late for supper, but Miss Saylor insisted on getting me a lunch in the kitchen.

"I took a long ride this afternoon," I told her; "got as far as the big water hole at the head of the draw that leads down from Hayshock."

"Oh," she said, "that's Big Muddy."

"I judged so from Forbes' description of the place."

"How do you like it over there?"

"Fine country," I remarked. "Lots of good feed."

"Yes," she answered, "that's the best range in these hills. We have always run our cattle over there. We have never had enough stock, though, to feed off all the range that water hole controls. Dad kept the sheep out of that country by warning the herders to stay away from the spring. There is no other water over on that side."

"I didn't know you owned any land over there," I said. "I thought perhaps Big Muddy might be on government land."

"It is," returned the girl; "but dad always managed to bluff the sheepmen off. We can't keep them off the range on this side of the lava neck, because this coun-

try is too well watered; we can't control the streams, you know. But it's different over there."

"The sheep business is growing," I told her; "more big men getting into it every day. You can't keep them off much longer, I'm afraid. This ranch and Big Muddy should be owned together—should be one lay-out."

"Father and Mr. Slater came to that conclusion not long ago," she answered, after pausing for a moment. "Mr. Slater has decided to take up a homestead that will include Big Muddy and fence it from the sheep."

"Well, what's he hanging back for? Why doesn't he file on the place. Somebody is likely to beat him to it."

"He intends to get the county surveyor up here from Downing right after haying to survey the claim for him."

"Seems as if an all-around man like Slater would be able to run out his own lines closely enough to find out what forty the spring is on. It's simple enough. He could do it with a pocket compass, such as the one I have."

"You might go over and run out the lines for Mr. Slater," she said. "I'm sure he'd pay you for doing it."

"I've already been over there and surveyed Big Muddy for myself," I answered.

Her eyes widened with concern.

"Don't be alarmed," I told her. "If I get the place, I'll never shut out your cattle. There'll be plenty of feed on that range for both of us; I won't be able to start off with much of a herd. Big Muddy just suits me—just the sort of place I've been wanting to find for a headquarters camp. And it's going to be valuable for something else before long. There'll be a railroad through that country soon, headed for the timber beyond. The water in Big Muddy will be at a premium then. That timber, I'm thinking, will have to be brought out there to be sawed. It takes water to manufacture lumber, you know. I'm going to get up before daylight to-morrow morning and start out for Downing to file a homestead entry. If you'd rather see Mr. Slater get the place than me, I'll give you a copy of the numbers to give to him. That will give him an even break with me in a race for the land office."

"It's a man's affair," she answered a little curtly, "one to be handled between yourselves. It's not fair to ask me to interfere, and I'll have nothing to do with it!"

"All right," I told her; "but I want you to under-

stand that whatever I may do around here I'll do above-board and in the open. I'll pass the word to Slater myself, and we'll race for it. And remember what I said: Your stock will always have free run of that range and will be welcome to the water in Big Muddy if I win."

"You seem to have a good deal of confidence."

"Plenty of confidence and a good horse to back it up," I boasted.

"That buckskin of Mr. Slater's is a good horse, too —he's tough and he's fast."

"You're right there," I answered. "But he's no better horse than Silver. They don't make them any better than that little bronc!"

On my way to the bunk house that night I turned Silver loose in the corral with Slater's buckskin.

CHAPTER XIII

THE HORSE RACE

NEXT morning before daylight I rose and knocked on Slater's locked door.

"Hey, there," I called to him, "get up!"

I heard the bed springs creak once, and then I heard, almost instantly afterward, Slater hit the floor with bare feet. Slater had been snoring regularly just before I roused him. "He has a peculiar way of coming out of a sound sleep," I told myself; "one spring to the center of the room!"

"What you want?" he muttered.

"Open the door," I commanded; "I've something to say to you."

I did not hear him come forward. But a moment later he jerked the door open, came out, and slammed the door behind him. Then I stood there in the dark, facing Slater, with the muzzle of his six-shooter prodding me in the pit of the stomach.

"Well, what's the row? Spit it out!"

"It's no shooting affair," I told him; "put up the

gat! I'm going to start for Downing to offer a homestead filing on Big Muddy as soon as I can get my clothes on and saddle my horse. Here are the numbers I am going to enter—if I get there first." I handed him the slip of paper. "I thought you might be interested in this, so I am giving you an even break with me. I turned my horse loose in the corral with yours last night to make the play fair all around. Better get your pants and boots on and try to beat me to it."

I could hear the other men in the bunk house stirring in sleepy surprise.

Slater beat me getting dressed and passed through the bunk house while I was pulling on my boots. I joined him in the corral a moment later. He had jumped in there between the sleeping horses and had started them to milling. The buckskin was wheeling and dodging in fear of him, afraid to let him approach with the outheld hackamore. I cornered Silver, spoke a few reassuring words to him, and in a jiffy had him at the end of my rope. I saddled and rode from the corral, leaving Slater still swearing and madly chasing the buckskin around and around. I had won the lead.

I rode down the valley at a gallop and reached the foot of the two-mile grade leading to the rim rock above, just as Hayshock Butte stood out from the

dark range of hills in the first rush of dawn. As I slowed Silver down to a walk to take the grade, I heard the galloping hoofs of a horse hammering the road behind me. A little farther I pulled into the brush at one side of the road and let Slater go sailing by on the buckskin. He did not see me when he passed, and I fell in behind. I wanted Slater to take the lead here for several reasons. I wanted him to be my pace maker for a while without his knowing it. When the morning light grew a little stronger, I could see by the tracks in the road that the man ahead had galloped his horse most of the way up the grade.

I had pretty good going through Chaparral Chute and I crowded Silver there. A little later I galloped him up to the horse trough in front of the Shoveltown Hotel, dismounted, loosened the cinch, and let Silver have a few swallows of water. The waiter came out onto the porch to look me and my horse over curiously.

"What's going on—road race?" he asked. "Jap Slater just streaked out o' here like he was on a bet."

"He is," I answered.

"Well, I'm thinking he won't get far. That buckskin o' his was pretty well winded, an' he let him have his own way at the trough. He stopped only a minute or so to hire, buy, borrow, or beg a fresh horse from

old man Swingle. But after the old man saw how Slater had crowded that buckskin he refused him. The old man asked Jap what his hurry was, an' Jap told him Miss Saylor was sick, an' that he was going to Downin' after a doctor. The old man asked him why he didn't get old Doc Brines up to Nanville, an' Jap told him that Doc Brines was out on a fishin' trip. An' then the old man went on to ask why he didn't telephone to Downin' from here for a doctor. Jap just cussed him, forked his water-logged buckskin, an' shoved off on a run. How about it, anyway?"

"Miss Saylor isn't sick," I answered him. "This is just a little race between Jap Slater and me for the land office."

"Oh, I see," returned the waiter; "after a claim, eh? Well, me not havin' much use for this Slater party, I hope you win. If I was bettin' on this race, I'd place my money on you an' that Silver hoss to win, anyway. Slater's goin' to run that buckskin o' hisn to death between here an' Downin' an' finish on foot. He thinks you're ahead o' him. Too big a hurry, I guess, to look for tracks—an' him a professional tracker, too!"

I smoothed out the saddle blanket, settled the saddle into place, and drew the cinch tight again.

"I wish you luck," called the waiter, as I set out once more. "You sure got sense about ridin' an' handlin' a hoss—even if you are a tourist, which I doubt, but which same ain't none o' my business. I sure admires a good hand with a hoss."

Somehow, Silver seemed to get the idea that I was in a hurry, and he entered into the spirit of the race. I let him pick his own gait for the most part, and he broke his long, swinging gallop for his running walk only in places where the road steepened or just to get his wind, and then, without any urging, he would pick up the gallop again.

I was making good time—as good time as I dared to make, considering the distance I still had to go—but I did not come within sight of Slater on the buckskin until I got within ten miles of Downing. The buckskin was walking when I glimpsed them first; but Slater turned his head, saw me close behind, and spurred the horse into a jerky run. The buckskin had gone wabbly on his feet. Soon he stumbled and fell. Before Slater could lift him to his feet again with spurs and quirt, I galloped past and on toward Downing.

Soon I slowed Silver down to a walk; there was no need to crowd him now. I could take it easy and be

in Downing long before the land office would close for the day. I could watch Slater and not let him pass me again on the way with the tired buckskin. I felt pretty well satisfied with the way things were turning out.

Then, when I was still about five miles from Downing, I got a mental jar that made me feel a little sick. I remembered something that I had foolishly overlooked before. There is a clause in the homestead act that debars any applicant who owns as much land as I now owned from taking up a homestead. I had forgotten all about this clause—had forgotten, in fact, that I owned any land. At the land office I would have to admit, under oath, that I already owned a considerable-sized piece of land, my interest in the Ripple Creek Ranch. My application for the homestead would be rejected. It would do me no good to beat Slater to the land office. Then I got an idea that straightened me up in the saddle.

I glanced behind. The tired feet of the buckskin were kicking up a cloud of white dust less than half a mile in the rear. I lifted Silver into a run with my spurs for one last sprint to Downing. It took just about all the go that Silver had left in him to whirl down the main street of Downing; but he hung on to

his gallop like an old campaigner till I reined him up on his haunches before the office of Philip Rideout, an attorney and notary public.

I entered the office and found Rideout asleep at his cluttered desk. I had met Rideout before. He was the man who had drawn up the deed for Happy Day when Happy had transferred his interest in the Ripple Creek Ranch to me. I had that deed in my pocket now. I slammed it down on the desk, together with a twenty-dollar bill. I shook Rideout by the shoulder.

"Here," I shouted, "transfer the property described in this deed to Patricia Saylor, of Nanville. And look alive man! I'm in one dickens of a hurry! Draw up a new deed, acknowledge my signature, and get it down to the recorder's office in ten minutes, and you'll get another twenty."

Rideout blinked sleepily, caught a glimpse of the crumpled bill on his desk, and came into full realization of the opportunity that I had set knocking at his door. Without a word, he began filling out a blank deed. In a moment he looked up from his work.

"Consideration," he questioned, "ten dollars in hand paid?"

"I—I guess so," I faltered.

"Selling or giving this property away?" he asked crisply.

"Giving it away."

"Love and affection, then?" he asked again.

"I don't like the 'love' part of that. 'Affection' might go—doesn't seem to be so—well, so gushy a word."

But he went on scribbling with his scratchy pen.

"'Love and affection,'" he insisted, "proper legal form. Sign here."

I signed: "Jackson Bailey Smithers."

Rideout stamped the deed with his seal, affixed the necessary documentary stamps, glanced anxiously up at the clock, dashed a circle around the room, as if looking for something—his hat, I think—but, not finding it, he dived for the door and rushed down the street in the direction of the recorder's office with the deed in his hand.

"I'll be back in a minute," he called over his shoulder.

But I did not wait. I laid another twenty-dollar bill on his desk and rushed down the street myself—in the direction of the United States land office, a block away.

My filing was accepted, and as I turned to leave the office, with my receiver's receipt in my pocket, Jap Slater burst through the door. He flung the slip of paper I had given him upon the counter.

"Homestead filing on these numbers," he panted.

The receiver glanced at the slip and shook his head.

"That's entered land," he answered. "You're about a jump and a half behind."

That night I took the night train for San Francisco. Next morning I went to see the attorney who had handled the sale of my Arizona property for me. From him I learned that the last payment, five thousand dollars, had been made the day before. I signed a receipt for the money and the deal became closed.

I returned to my hotel and dictated to the public stenographer there the following letters.

The first:

HAPGOOD DAY, ESQ., Mexicali, Mexico.

DEAR FRIEND HAPPY: I was pleasantly surprised with the half interest in that little ranch near Nanville that I bought from you.

I transferred my interest in the place yesterday, and I am sending you, herewith, a check for twenty-five hundred dollars as an additional payment. Don't be backward in accepting this money.

Your share in that ranch was worth a good deal more to me than the money I am paying you for it, and I figure that I am losing nothing on the deal.

I would like to have you write to me and let me know how you are getting along down there, but I am not going to send you my future address, for fear that you might foolishly send this check back.

I hope that you are wise enough to do something worth while for yourself with this money. I am sure that if you take care of yourself your health will improve. Don't be a quitter! It's the quitter only who forfeits all his chances to win. Yours with best wishes, JACK SMITH.

The second letter:

MISS PATRICIA SAYLOR, Nanville, California.

DEAR MADAM: Under peculiar circumstances, which perhaps would not interest you, I was induced to buy an undivided half interest in a piece of property near Nanville, of which, so I understand, you own the remaining interest.

Having good and sufficient reasons for wishing to dispose of this property, I have transferred my title to you, and have placed the deed on record in the county offices at Downing.

Your acceptance of this transfer places you under obligations to no one. I am not giving you my address, because I wish to make no further

explanation and to enter into no argument with any one regarding this deal, which, I can assure you, is to my advantage as well as to your own.

Yours very truly,

JACKSON BAILEY SMITHERS.

CHAPTER XIV

PERVERSITY, OR?

FOUR days later I returned to the Ripple Creek Ranch and found the haying crew still busy in the meadow. Jap Slater had returned, also. I could notice no change in his manner toward me. He had no word for me, good or bad—just ignored me, as usual.

After supper on the day of my return, Miss Saylor called me into the kitchen, where she was busy finishing up the day's housework alone.

"Well, who won the race?" she asked.

"Silver won," I told her. "Didn't Slater say anything to you about it?"

"Not a word," she answered; "didn't even tell me that there had been a race. I judged that he had lost from the way in which he has been acting lately."

"See here," I said, "have you given up the idea of marrying this fellow Slater yet?"

"Of course not," she answered. "He has my word, and I won't go back on that. One of the things my father taught me was that a girl should always keep her word, just as a man is expected to do. During

the two years I spent in school at Oakland I was surprised and shocked to find out how many girls there were who seemed not to care much whether they kept their word or not. I am thankful for having been properly trained in this respect. I have given Mr. Slater my word, and——"

"Yes," I said, "but this is different. You surely didn't know what you were about. I think that fellow must have had you hypnotized at the time. Can't you understand——"

"I am afraid we are getting away from the subject," she said. "I didn't call you in here to talk with you about my engagement to Mr. Slater. I have a letter here that I want you to read—I want you to tell me what you think about it. It sounds like a strange, crazy proposition to me."

She handed me the letter I had written to her from San Francisco. I read it over slowly and handed it back.

"It seems plain enough to me," I returned.

"Too plain, maybe," she retorted. "I have a suspicion. Did you write to this Jackson Bailey Smithers or go to see him on your trip? Have you tried to inter——"

"I've been too busy attending to my own business

lately," I informed her, "to interfere with other people's affairs. I haven't written to this party, Smithers, and I haven't had anything to do with any deal that hasn't concerned me personally. I'm not foolish enough to go around the country nowadays asking other people to give their property away."

"Well," she resumed, "this man, Smithers, must be a fool."

"Perhaps," I agreed; "but he tells you that he had good and sufficient reasons for transferring his rights here."

"I don't care what he says," returned the girl hotly. "I'm going to inform him that I'm not accepting charity from strangers just yet!"

"He seems to have forestalled you there," I came back. "You don't know where to find him."

"Well, anyway, I can have the deed transferred to him again."

"I wouldn't do that," I advised her.

"What, then, would you do?" she queried.

"I'd leave the deed as it is, and raise some money on the share in this place that it represents, to go ahead with here. Could you get a reasonable loan on it?" I asked.

"I should be able to get at least two thousand dollars

for two years at six per cent interest from Sol Menzinsky—he's the money lender here in Berry Valley. He already has a mortgage on the other half interest and the stock for thirty-five hundred."

"Well, why not get the two thousand from him, then?"

"I'm afraid it might be too big a load for me to carry. If the railroad were in here and we had a better market, I might take the chance."

"But the railroad will be in here. It'll have to come this way to get into that big pine country over east of Big Muddy."

"I know that," she said, "but building a railroad takes time. We have already waited a good many years for a railroad, and I'm afraid that we'll have to wait more than two years longer."

"I wouldn't be at all surprised to see some one in here buying up right of ways this summer. They'll have to go straight through the Ripple Creek Ranch from one end to the other."

"Perhaps; but what they'll pay me for a right of way won't amount to a great deal. They'll have the most of it classified as a brush land."

"Perhaps you wouldn't get much for the right of way," I answered; "but there is another resource for

this ranch that I think you have overlooked so far—one that I am sure will bring you a good many thousand dollars before this time next year, if it is handled right—fifty thousand, perhaps."

Miss Saylor's eyes opened wide with surprise, and then she laughed a little patronizingly.

"I'm afraid you're too much of an optimist. There's nothing on this place worth thousands of dollars to any one."

"But you're mistaken," I answered. "There's a fortune here waiting just to be collected. All it needs is a little legitimate promoting. I know this, for I have seen it with my own eyes—and heard it with my own ears."

"A gold mine?" she asked, laughing again. "I'm sure your mistaken. We're not in the mineral belt here."

"No, not a gold mine," I answered. "One doesn't hear of a gold mine and seldom sees one without first spending money to uncover it. It's a part of the country's most valuable resources, and it's running wild right here on the ranch. It's as plain as the spots on a pinto pony. It's a wonder that some one hasn't noticed it before and promoted it."

"You have, at least, aroused my interest," she said,

still laughing at my seemingly preposterous statement. "What is this wonderful find?"

"I want to do a little more investigating before I tell you that," I put her off. "I'm going to start some outside interest moving in the proposition for you, though."

"Well, I can't imagine what it can be. There's no merchantable timber here. There's neither lime nor ocher. There's enough rock on this place for a quarry, but it's been tested and found to be of no value as building stone. In fact, there's nothing I can think of here worth a cent but the wild feed—except, perhaps, the climate."

"You haven't guessed even close," I teased her. "I'm going to keep you guessing a while longer; but take my word for it and don't be afraid to borrow two thousand dollars more on this place. You'll be able to pay off the whole indebtedness before it comes due."

"I'm going to show you that I've business sense enough to take a chance," she said. "I'll have to raise some money to pay off the hay hands soon, or else——" She paused, frowning a little.

"Or else marry Slater at once," I finished for her. "If you insist on not breaking off your engagement

with him now, at least put him off for the rest of the summer."

"I can't understand why my affairs with Mr. Slater should interest *you* so much," she said a little tartly.

"It's my duty," I told her, "to have you put Slater off until I can get the chance to show him up to you for what I know him to be. When I do that, you'll break your engagement with him without much parley. You have spirit enough for that. Having to say these things about a man behind his back, I know, is surely going to put me in a bad light with you, but I can't talk to Slater—he won't stand still and look me in the eye. That's why I'm doing the talking to you. I'm not saying anything about him that I would be afraid to say to his face. It's war between us, and he knows it as well as I do. He began the fight himself for some reason that I can't understand. I'd warn any decent girl to have nothing to do with him for the same reason that I'd warn a little child not to play with a rattlesnake."

Again I had let my tongue run away with me—had said a great deal more than I had intended to say. As I went to the bunk house to turn in that night, I felt more than a little ashamed and disgusted with myself.

On the next evening Miss Saylor called me into the kitchen again.

"I have taken your advice," she said. "I went to town to-day and borrowed two thousand dollars from Sol Menzinsky. The recorder at Downing mailed the deed. It was in the post office for me at Nanville. Now I shall be in shape to pay off the crew when we finish putting up the hay. It's a relief to have ready money on hand again to do things with.

"I see you have gone back to work, driving one of the wagons. There is no rush, you know. Why don't you lay off for a while and give your hand and shoulder a chance to get all right?"

"My hand and shoulder are all right," I told her. "A little stiff and sore, but I can get along with them on the wagon job."

"You know best," she said; "but I wish you would be careful about—well, about runaways."

"I'll be careful from now on," I assured her. "I always look over my wagon and harness before starting."

"A good idea. Some of our harnesses are old and need—— But what's the use of my pretending?" she said. "I know as well as you do what caused your

runaway last week. That breast strap was tampered with. I wish that I knew who did it!"

There was fire in her eye when she said this, and her teeth snapped together after her words.

"We can overlook that," I told her. "There wasn't much harm done. But I'll keep an eye out from now on."

After the rush of the haying season I hired Grayson to go over to Big Muddy with me. I got a team and wagon from Miss Saylor, bought provisions, cooking utensils, tools, and fencing, and set out for my homestead to make settlement in accordance with the land law.

We built a little cabin of logs on a bench of dry ground just above the water hole and ran a fence around the forty-five or fifty-acre meadow. Then we cleaned out the big water hole, ran a cut into it from across the meadow on the lower side, and put up watering troughs on the outside of the fence for the range stock. Our work had developed a good deal more water from the big spring than I had expected, and we put an overflow gate in the cut between the troughs and the spring, so that the surplus water might spread out over the grass land.

Grayson was a hard worker and an agreeable fellow to get along with; but he couldn't find enough to talk about while we were there alone to suit me. One night I dragged from beneath my blankets a bottle of whisky, which I had hidden away. After a few drinks, Grayson began to tell me something—something that I found myself taking a great deal of interest in.

"I have found it a pretty good plan for a stranger in this country to watch his step close," he began. "I came near having the finger of suspicion pointed at me, because of that stage holdup and murder that took place down in Chaparral Chute some time ago. The driver said that the outlaw was a tall man, and you told old Jake Swingle, down in Shoveltown, the same thing; and I'm the tallest man I know of in this country, except yourself. I was a practical stranger around here at the time of the robbery, and I'm sure that if I had not had a first-rate alibi, I would have had to do a lot of explaining, which might not have really explained much, after all. These natives around here in the hills are a hot-headed lot, and if they should feel at all sure of themselves in suspecting a man of the murder of one of them—especially of such a man as Sam Saylor—they'd lynch the suspect

without hesitating a minute. It happened just by accident that I got that alibi, too.

"Slater came to me in the afternoon of that day of the robbery and told me to come over here to Big Muddy to salt the stock. I tied a fifty-pound sack of salt on behind my saddle and struck out. The sack, an old one, must have been pretty rotten, and before I got very far I snagged it in the brush. By the time I noticed what had happened the salt had been strung out all along the trail. I was only about five miles from the ranch, and I turned around and rode back.

"When I got there I decided that it was too late in the day to get another sack of salt and start back over here. Miss Saylor and her aunt were busy cleaning house, and I stayed around to help them until supper time. They were putting supper off late that night, waiting for Mr. Saylor to come home from Downing on the stage. Slater was away, also. He had left the ranch shortly after sending me off with the salt—at least, that's what the womenfolks said.

"Well, they brought Mr. Saylor home, dead, in the stage that night. If it hadn't been for my spilling that sack of salt and turning back, I'd have been over here somewhere at about the time of the holdup,

and I wouldn't have got back home till long after dark. You can see for yourself that under those circumstances I'd have been in a fix.

"Between you and me and that bottle of whisky there, I think Jap Slater had something to do with that robbery and murder, and that he wanted me to be caught out that night without my alibi. Pretty hard things to say about any man; but what could have been his reason for sending me away over here at that time of day to salt the cattle, when the next day would have answered any legitimate purpose just as well or better? Anyway, I am mighty glad that I was at the ranch that evening, and I'm keeping my eye on Mr. Slater from now on! Of course, I'm not saying that Slater robbed the stage. You'd say that was impossible, because you saw the robber yourself, and you say that he was a taller man than Slater. But—well, it looks to me as if Slater had something to do with that business—that's all."

I laughed at Grayson. "They'd have a hard time to convict you of such a crime, even if Slater wished it, and if you didn't have your alibi."

Grayson only shook his head doubtfully in response to this, and tumbled into bed.

CHAPTER XV

ANOTHER HOLDUP

AFTER most of the heavy work had been finished at Big Muddy, Grayson went back to the Ripple Creek Ranch, and I stayed on alone at Big Muddy.

I began picking up a few cattle here and there, wherever I could find what I considered bargains, and before the summer was over, I had twenty-odd head of cows and calves running on my range. I had been kept pretty busy most of the time. I had built a cow shed and a small stable, and had made several other improvements on my claim. Meanwhile I had worked, for a week or so at a time, on the Ripple Creek Ranch when there was any special work to be done there.

One day in the fall, just before the rains set in, I saddled Silver early in the morning and set out for Nanville. As I rode through the corrals at the Ripple Creek Ranch, Grayson hailed me. He seemed a little excited, and I thought this odd, for I could not remember having ever seen this man show the least sign of excitement before.

"There has been another holdup down in Chaparral Chute, Smith," he called to me before I had come up to him. "Same tall man that held up the stage last spring, it would seem, from all reports. No one killed in the mix-up this time, though. Only one passenger—an old woman—and the driver aboard the stage; but the bandit got a pretty big haul—five thousand dollars in currency consigned to the paymaster at the railroad construction camp down below Nanville. Jap Slater just left here for the scene of the robbery. The sheriff sent for him to go down there to try to pick up the robber's trail again.

"I happened to be here at the ranch, as usual, yesterday evening. Glad of it, too; alibi again, you know. How about yourself, though?" he asked anxiously. "You and I are the only unusually tall men in this part of the country. It's going to stand us in hand, as I told you before, to be on our guard."

I laughed at Grayson's apparent uneasiness.

"They can't convict a man of a holdup just because he happens to resemble the real robber in regard to height."

"No, but they can suspect a man, and make things darned uncomfortable for him for a while—especially

if there is some one trying to point suspicion in his direction."

"You mean——"

"I mean that is just what Jap Slater is apt to try to do in this case. He hates you worse than he hates me—and I wouldn't put it past him to try some such underhand game on you."

"No, it can't be done," I answered Grayson. "That robbery last spring was pulled off by a tall man; but they surely couldn't hang any suspicion onto either you or me in connection with that job. You have your alibi, and I—well, I was a passenger in the stage at the time; so I couldn't very well be a suspect in that case. Last night's robbery, having been pulled off in about the same place and in the same manner as the other, and the robber of both occasions having answered the same general description, reason will naturally point to the theory that the holdup man in the first case is also the holdup man in the second case. You see, that clears us both. I don't doubt for a minute that Jap Slater would try to wind me up in some sort of mess, but the prospect for his being able to throw any suspicion my way in connection with these robberies doesn't alarm me. Anyway, it's one

thing to be suspected, and quite another thing to be convicted of such a crime."

"I guess you're right there," returned Grayson as I left him to ride on down to Chaparral Chute to find out for myself how the man-tracking was coming on.

I had never for a day during that whole summer forgotten my half-joking promise to Happy Day to run down the robber of the first holdup and get back the monogrammed cigarettes. All summer I had kept up a diligent lookout for a tall slim man who walked on stiff or crippled legs. If this holdup man of the last affair in Chaparral Chute proved to be the one who had taken my money away from me and had called me a tourist across his cocked, leveled six-shooter, I wanted to be on the ground early to pick up some fresh clew for my search.

I arrived at the scene of the holdup and found no one there save the professional man-tracker from the Modoc lava beds—Jap Slater. He was busy scouting around in the brush, and seemed not to notice my coming. A little later the sheriff and his posse came ambling up the road—the same grim party of hard-looking men armed with turbines and sawed-off shotguns that I had seen returning from that other man hunt. The sheriff hailed me.

"Hello, Smith, old-timer," he called banteringly. "What part did you play in the little row last night—passenger or stick-up man this time?"

"I was afraid that I couldn't arouse the sympathy due a robbed passenger twice hand-running, so I played the bad man's part. But, say, Forbes," I added in a more serious voice, "I want to go along with you on this man hunt—want you to deputize me to take a hand."

"All right," he answered; "if you're set on getting plugged from behind a hunk of lava with a bullet from the same gun that gave you such a scare before, come on."

And then we were off without much more parley. Jap Slater had picked up the trail, and he started out following the tracks in the same direction they had taken him before. We made good time until we came to the big arm of lava that I have mentioned previously. Here Slater nosed along more slowly, and I got an entirely new impression of this man, whom I had come to hate so intensely. I was watching him closely—his every move and manner. I had never before seen a man-tracker following his profession or trade, and I was impressed, surprised, astonished. Had any man told me a little while before that he could do

what I now saw Jap Slater doing—tracking a man over the bare rocks—where there were no tracks—I would have had to stretch my credulity to believe him.

Slater's skill or instinct, or genius, or whatever you may wish me to call it, was almost beyond claiming my belief. It was impossible, inhuman, uncanny almost; it smacked of the occult, to say the least. But here he was doing the thing before me.

Occasionally he stooped, with his face down close to the rocks, searching with his eyes or scenting with his nose like a dog. I could not tell which. I could as easily have believed him capable of following one system as the other. At other times he would straighten up and go on more quickly, apparently without even casually looking for tracks. But always the one fact remained; he was following that trail, which was not a trail—which was not even a sign, a hint, or a smell of a trail.

I had thought for a while, at first, that he could not be on the trail at all, that he was trying to deceive us. But two or three times along the way he picked up bits of evidence, which convinced me that he really was following in the tracks of the robber, who had gone that way shortly before.

In one place he picked up a bit of wrapping paper,

which still stuck to a daub of wax, showing the imprint of the express company's seal. This paper had evidently served as covering for one of the stolen packets of bills. In another place he picked up a tiny strand of cotton fabric. He explained its being there thus: "Had his horse's shoes covered with canvas belting to keep the steel from leaving scratches on the rocks." And then again he showed us some crumbs of tobacco on a rock where the bandit had evidently paused to roll himself a cigarette.

"But out there in the middle of that arm of lava, where the trail between the Ripple Creek Ranch and Big Muddy crosses, Jap Slater lost the tracks, just as he had on the previous man hunt. We separated there, some of us going to follow the eastern edge of the lava arm; while Jap Slater and two of the other members of the party kept on, hoping to pick up the tracks in the lava again. Later we reassembled and started back along the trail toward Nanville.

We strung out in single file. Slater rode in the lead; I brought up the rear, and Jed Forbes rode directly ahead of me. The man next in line turned and spoke to the sheriff.

"Seems strange to me," he said, "that Slater should

lose the tracks in almost the same place he lost them before."

"It seems strange to me," returned the sheriff, "that Slater was able to follow the trail at all after we hit the lava. I've seen some good trackers in my time, but never before the likes of him. I have the same idea that Slater has, though, about the fellow's trick to throw us off the track. He simply removed the pads from his horse's shoes when he hit this trail, which is already so badly scarred up with steel marks that it would be impossible to pick the marks we are looking for from the others.

"The bad man probably left the trail again, first having put the pads back on his horse's shoes. It's a good deal harder to pick up a fresh trail than it is to follow one that you already have. If Slater could only pick up the padded tracks again, where they leave this trail, I think we'd stand a show. But to pick up those tracks here in the lava is too much to ask of any tracker."

We rode along, closely watching both sides of the trail for tracks leading from it, but we had no success. Finally Slater, who still rode on the lead, came to the edge of the lava where the trail entered the sparsely timbered draw. Here he called a halt, and when we

had all gathered around him he pointed to fresh horse tracks distinct in the soil that covered the bed of the trail.

"Here they are," he said. "He didn't take time to put the pads back on."

I looked carefully at the tracks.

"Those are my tracks," I said. "I rode along here this morning on my way from Big Muddy to the Ripple Creek Ranch. Those are the only fresh tracks; they must be mine."

I rode Silver close alongside, and we all dismounted to examine the two sets of hoofprints. The similarity could be seen at once.

"You're right, Smth," remarked the sheriff. "Those are your tracks; there's no mistaking them."

And with this new hope shattered, we gave up the hunt for the day and rode on into Nanville.

That night I questioned Jed Forbes as to his plans for continuing the man hunt.

"I don't know just how to go about it," he answered me. "I think our man must have gone up into the lava beds. But I'm not going in there after him now. It's too big a country, and he has too much of a head start on us. He can't stay in there without grub long, and I'm going to keep up a lookout for

him around the edges of the lava beds. He's bound to show up at some camp near here before long, and that, I figure, will be our best chance to pick him up. I'm going to keep you on as deputy for a while, if you don't mind, and you can keep your eye out for him over your way."

When I went over to the livery stable the next morning to get Silver for the ride back to Big Muddy I found Shorty in a noisy rage.

"See here, Smith," he cried excitedly, "when you goin' to murder that Slater varmint. If you don't close his lyin' mouth for him pretty pronto, I'm goin' to do it for you. I ain't no regular hand to take on another gent's battles, but I'll go to the devil in a hand basket afore I'll let any half-Injun, half-coyote renegade say some things about a friend o' mine."

"What's the matter now, Shorty?" I asked.

"What's the matter! Ain't you takin' interest enough in your own affairs any more to keep your ears open? Every man in town has got an earful o' it afore this, an' you ain't heard nothin' yet! Here's what's happened: Jap Slater got a hold o' a bottle o' bootleg whisky somewheres last night, an' he's been runnin' off at the mouth considerable ever since. He says that he thinks you're the man that held up the

stage night afore last. Says the tracks pointed in your way, an' he's tryin' his hardest to get every one he meets interested in his crazy idea."

"He didn't say anything to me about his suspicions, and he didn't say anything to Jed Forbes, either," I answered.

"No, o' course he didn't," returned Shorty. "That ain't his style—comin' out an' accusin' a man in the open. But I'm tellin' you what he's up to, an' if you won't wring his neck I'm goin' to do it for you."

"I'm not worrying," I told Shorty. "It's pretty hard these days, in this country, to convict a man of a crime with which he has had nothing to do. If I had robbed that stage I'd begin to get uneasy. I've had cause enough to give Jap Slater two or three good maulings before now, but I'm glad that I haven't done it. As I have told you before, I would only get myself in wrong around here by fighting with Slater."

"Well, then," said Shorty, "I'm goin' to mess him up for you. He's none too big nor too little—none too nasty nor too nice for me to mix it with."

Just then Jap Slater entered the stable himself to interrupt Shorty's explanations of what he would do.

Slater had been drinking; I could see that at first glance, although there was more swagger than stagger

in his walk. Shorty stood there glaring at the newcomer, and there seemed to be a tenseness ringing the three of us round. I began to grow a bit uneasy, for I wanted no man to pick up, for fighting purposes, any affairs of mine. And then suddenly the situation took on a surprising change. Shorty spoke up in a voice that I thought trembled a little.

"What is it, Mr. Slater—your hawss? I'll have him for you in just a minute."

"Yes, my horse!" returned Slater. "And be mighty quick about getting him, too."

"If you can wait just a minute, Mr. Slater—I was just goin' to get Mr. Smith's hawss for him——"

"To the devil with Smith!" retorted Slater angrily.

"All right, all right," hastily returned Shorty. "I'll get him for you just as quick as I can. Don't get excited none now, Mr. Slater," he added, almost in a fawning manner.

I certainly was surprised at Shorty. Here was the little fellow who had been boasting to me just a few minutes before of what he was going to do to Slater, now almost on the verge of licking Slater's boots.

"Don't try to tell me when not to get excited," Slater said explosively. "There's no son of a——"

Slater never finished that sentence. He bit his tongue half in two on the last word uttered. Shorty, with the speed of a lightning flash, had leaped across the intervening space of a few feet and landed a blow on the point of Slater's jaw that closed his mouth with the snap of a bear trap. Slater crumbled to the floor, turned over slowly, and then raised himself to his hands and knees. Shorty stood over him.

"Get up, you half-Injun scrub; get up," he said tauntingly. "Get up on your pins an' fight like a man. You're awful dirty, an' I'm goin' to take you to a cleanin'. I'm goin' to knock you stiff!"

Slater refused to rise from his hands and knees.

"I've had enough," he said in a whining voice. "I know when I'm licked."

Shorty turned away from him disgustedly.

"Get up an' get your horse an' beat it," he said. "I won't touch you; I'm through." Shorty laughed.

"Did you notice how I got him started, Jack? Made him think I was leery of him at first—let him get sassy an' then feathered in. You didn't want me to pick up your row with him, so I had to kick up one of my own; never like to hit a man without some sort o' excuse."

By now Slater had got his horse and returned to

the front part of the stable. He paused and turned as if to mount. As he did so he and Shorty stood back to back within a few feet of each other. I was standing a little at one side, and I had my eye on Slater, who suddenly, instead of swinging into the saddle, whirled and made a vicious thrust for Shorty's shoulder with a wicked-looking, long-bladed hunting knife.

I cried out a warning to Shorty, and leaped between the two men. With my fist I landed an uppercut on Slater's wrist, which sent the knife clattering into a corner of one of the stalls. Then I caught Shorty in my arms and held him tight, while Slater sprang into his saddle and dashed out of the door and down the road.

"Darn it all, Jack," Shorty muttered, "whatever did you do that for? Why didn't you let me get at my gun? Why didn't you let me get the dog when I had all the chance in the world to come clear for killing him? Why didn't I do for him in the first place? But I couldn't kick him when I had him down, an' I might 'a' knowed he'd try to knife me when I let him up!"

CHAPTER XVI

RETURNING A FAVOR

AFTER hauling a few loads of hay and my winter's supplies, I settled down, alone in my cabin at Big Muddy, to wait for the snow. Nothing more had been heard of the tall, mysterious highwayman; no track or clew had been discovered or reported by any one.

As soon as the snow disappeared in the spring, railroad engineers came in to run a location line for the grade from where it ended below Nanville to the timbered plateau east of Big Muddy, and just as I had pictured it in my mind, their line of stakes crossed my meadow, close to the water hole. Then the company's right-of-way man came in and bought up right of ways all along the line.

I had stayed pretty close to home all that winter—had made only a few trips to the Ripple Creek Ranch and to Nanville, where I found that interest in the last stage robbery in Chaparral Chute had gradually died down.

One day in the early spring I stopped at the ranch to have a talk with Miss Saylor.

"It looks as if we were going to have our railroad before the summer is over," I told her. "I hear they are going to put in construction camps to begin work on the grade at once."

"Yes," she answered, "our road is a sure thing now, it seems. But how about that fifty-thousand-dollar layout—the one you thought you saw running loose here on the ranch. You haven't mentioned it since you told me about it first. Have you found out that it was only a dream, as I suspected then?" she finished laughingly.

"No," I answered seriously, "it's no dream. I saw it plainer than ever, not more than half an hour ago, as I came down the cañon. I expect to find a letter in the post office at Nanville when I get down there, telling me that there will be an engineer in soon to look the proposition over. You see, I have been busy promoting. Can I make arrangements with you to keep this engineer—if he shows up—and me here at the ranch a few days while we examine the—er—well, the fifty-thousand-dollar layout?"

"Certainly," she answered, sobering instantly. "But

won't you tell me now what it really is you're figuring on?"

I pretended to remain in doubt for a moment just to tantalize her.

"Well," I said finally, "I guess I might as well tell you now. You'd be sure to find out within a few days, anyway. It's the big waterfall in Ripple Creek, up the cañon just within your eastern boundary line. You can sell a few acres of that brush land, there at the mouth of the cañon, for a power-house site, and you can sell the right to use the water at the fall for generating electrical power. You can pick up the water again in your ditches, after it comes from the power house, to use on the meadow, just as you are using it now. The big power companies are scouting the State for just such layouts as this. I wonder that they haven't stumbled onto this one before. I've never seen a better power site than the one in that cañon. Unless I'm badly mistaken, you'll get your own price for this layout just as it stands."

"Well, so that's it?" she asked with her big blue eyes all a-sparkle. "We all must have been asleep here not to have noticed it before. It's just as you said—as plain as the spots on a pinto pony. Mr. Smith, I'm placing myself in debt to you more and

more. First you come along and save my life, and now you point out to me how to collect a fortune without having to lift my hand. I don't know how I am ever going to repay you, but I may find the opportunity some time to do something for you in return."

"You have already done something for me," I told her.

"What?" she asked quickly.

"You have taken my advice about putting off your wedding with Jap Slater. Just hold him off a while longer."

"I wish you didn't think it necessary to bring up this topic," she retorted; "just when we are getting along so well, talking sociably of other things. By the way, do you still suspect Mr. Slater of having had anything to do with those stage robberies?"

"I certainly do!" I answered vehemently.

"And he suspects you." And then she laughed. "You are both wrong. Why don't you give up this foolish feud and be friends?" she asked.

"Slater and I can never be friends," I answered. "I've had some queer friends in my time, Miss Saylor, but none of them has been a lying, shifty-eyed man like Slater—if you'll excuse my remarking it."

"Perhaps Mr. Slater hasn't acted quite like a gentleman toward you," she said, "and, too, maybe you haven't been quite fair with him. He says that you got him into trouble with that Shorty McDaniels in Nanville. It doesn't seem to me that that is playing the game in the open and aboveboard quite."

I grew a little angry at this. "See here," I returned, "did Slater tell you anything about that affair?"

She nodded. "I suppose he thought he owed me some sort of explanation because of his condition after the fight. He didn't want his fiancée to believe that he had been in a common brawl of his own choosing."

"Oh!" I stammered. "Well, carrying tales to a woman is something that I don't relish doing, but I'm going to tell you something now, and I want you to get it straight. Jap Slater had—understand me—*lied!* Shorty offered to take up my grievance with Slater for me, and I wouldn't stand for it. Then Slater came along and crowded Shorty for a fight, and Shorty gave it to him. Slater told Shorty that he had enough, and when Shorty let him go Slater tried to knife him in the back. If I hadn't held Shorty's arms, to keep him from getting at his gun, he would have killed Slater then and there—and he would have come clear for the killing, too. Now you

have the straight of it," I told her, "and I'm going on to Nanville to see if I have any word from the engineer who is coming in to look over that power layout."

The engineer came two or three days later, and I spent a week helping him measure the water and take levels in the cañon. Shortly after the engineer left with his reports on the project, Miss Saylor gave his company a sixty-day option to buy the power site for fifty thousand dollars. They paid her one thousand dollars for the option, over and above the purchase price, and she sent that thousand-dollar check to the bank in Downing to be deposited to my credit. I knew nothing about all this until I received my deposit slip from the bank. When I went to Miss Saylor with objections to accepting the money she laughed at me.

"It's your promoter's fee, your first commission on the deal," she insisted, "and you'll accept; I'll have it no other way. I'll allow no man to do me a favor without taking pay—if I can possibly find a way in which to pay him."

So that settled the matter of the thousand-dollar check—the money became mine.

CHAPTER XVII

THE LYNCHING MOB

I HAD been in the hill country almost a year when at last came the day that marked for me the beginning of real excitement and a dangerous turn in my adventures there. I had saddled Silver early in the morning and ridden into the high plateau country back of Hayshock Butte to look after a few head of cattle that had strayed off their usual range. I did not find the strays until late in the afternoon, and it was after dark when, by riding in a big loop, I got back to Big Muddy.

I noticed a good many fresh horse tracks around the corral as I rode up to unsaddle. I was wondering what could be the meaning of them when I was further surprised by noticing a light shining from the open doorway of my cabin. I went toward the cabin, and before I reached it I could smell frying bacon and boiling coffee. I slipped up to the door and peered inside. Jed Forbes was in there cooking supper, and he had the table set for two. I glanced around to see

who could be with him. There was no one else. The sheriff was alone in the little shack. I stepped inside and spoke to him.

"Why, hello, Jed Forbes! What brings you into this neck of the woods?"

"Another man hunt," returned the sheriff, looking up without any sign of surprise at my entrance. "Stage was held up again last night in Chaparral Chute. Our old friend, the tall highwayman, wearing the same long coat and mask, according to the stage driver's description. The driver is the only witness to the holdup we have. Sol Menzinsky was a passenger, but he was murdered in about the same way Sam Saylor was. The driver says that the outlaw didn't move around much, just enough to betray the fact that he was crippled or stiff-legged. This is the only new clew we have for identification purposes. The driver thinks that Sol recognized the bandit, and that the bandit, suspecting this, was afraid to let him get off alive. Sol was robbed of five thousand dollars in currency, which he was bringing in from the bank at Downing to cash checks with for the boys working in the railroad construction camps."

In my surprise at the sheriff's strange, exciting

news I flopped down weakly on the edge of my bunk. "Did you pick up his track again?" I asked.

"Yes," returned Forbes. "Brought the hounds along this time. Slater picked up the trail for them where he picked it up before, but the dogs proved to be of no use. The man that we are after is too slick to leave a trail that a dog could follow."

"How did Slater make out this time?" I asked. "Did he lose the tracks in the trail between here and the Ripple Creek Ranch again?"

"No," returned Forbes. "He had better success to-day. He was able to track the outlaw after he took to the trail. Tracked him to—where do you suppose?" Forbes was holding me to close attention with his unflickering, steel-gray eyes.

"I—I have no idea," I answered him with a troublesome suspicion quickening my heartbeats just a little.

"To the gate of your corral," he answered, still holding my surprised gaze with his unblinking eyes.

"And from there?" I asked.

"And from there," resumed the sheriff, "we followed fresh horse tracks leading toward Hayshock Butte. I left the party in the timber up on the flat. I thought that if those tracks were yours you would

probably circle and get back here before Slater could overtake you on the trail. Were you over that way to-day?"

"Made a big circle in the timber looking for cattle," I answered.

"I thought so," answered Forbes. "I wanted to be waiting for you here at the shack when you returned."

"Why?" I asked and I met his gray-steel eyes with a gaze as cold and steady as his own.

"To take you to Downing, and to lock you up in the county jail there."

"Do you think that I—that I am the man you are after?" I stammered, letting my eyes waver and fall.

"You are the man I am after just now," he returned.

I stiffened, and again met the gray eyes squarely.

"Forbes, do you think that I am a robber and a murderer?"

The straight line of the sheriff's lips broke into a smile. "What I think has nothing to do with this business. An officer of the law is not supposed to let friendships or personalities interfere with the performance of the duties of his office. You're going to be charged with three stage robberies and two

murders," he returned evenly. "And you're going to stand trial on at least one of the counts."

He looked at me sternly again for a moment, and then with a laugh he came over to where I sat, crestfallen, on the edge of the bunk and gave me his hand.

"As man to man, I'm going to tell you what I think, Smith. I think you're as innocent of these stage holdups as I am, but nevertheless you're going to Downing with me—going as my prisoner—and we're going to get started as soon as we have a bite to eat. Supper's all ready. Sit down to the table, and I'll explain the situation as we eat.

"The people in this country are beginning to suspect that you are the highwayman who has been operating in Chaparral Chute. Some one, it seems, has gone to a good deal of trouble to get those suspicions started in your direction. Maybe you can guess who that some one is."

I nodded. "I am sure that I know who he is," I said, remembering what Shorty had told me on the day of his fight with Slater in the livery stable, and Grayson's story of the torn salt sack and his warnings for me.

"Well," resumed Forbes, "I think this enemy of yours is working in good faith—that he suspects you

himself. He has proved to the natives around here that you have been using two different names—that you filed on this homestead under the name of Jackson Bailey Smithers in the land office at Downing, and that you call yourself Jack Smith here. He pointed to the fact that you first made yourself known in this country on the night of the first holdup in Chaparral Chute, that you've been trying to play the rôle of tenderfoot, that you were living alone over here at the time of the second robbery, and that the robber's tracks on that occasion led in this direction.

"He managed to stir up a little interest in your affairs before, and now, since this last robbery and murder, he has the whole country ready to believe that you're the outlaw. He points out the reasonable supposition that Sol Menzinsky recognized his murderer and that therefore the murderer is not an entire stranger hereabout.

"In view of the fact that there are only two men tall enough to answer to the robber's description known to be in these hills—you and Grayson, and Grayson has an alibi—it does not seem surprising that people are jumping at conclusions. Six of the Nanville citizens came over here with us this forenoon; two of them went back with the word that the out-

law had been tracked to your corral gate. The others went on with Slater and my deputies.

"Here's what I'm afraid of: Sol Menzinsky was a popular man in this country—the most popular man since the death of Sam Saylor. He's been the local banker and general benefactor of Nanville for over thirty years. I'll venture to say that there isn't a man, woman or child in these hills that he hasn't befriended in some way at one time or another. And now, in the face of what has just happened to him, every man in the country is keyed up to the point of forming a lynching bee. I'll except two men before I give you that statement as finished, though. One of them is Grayson. He maintains that you had nothing to do with this business. When asked for his reason for saying so, he declares that he knows you, that you're white, and that everybody in the country has gone crazy. Then he thanks his lucky star that he has his alibi, and with that he closes up like a clam. Tight-mouthed man, anyway—that fellow Grayson.

"The other man I mentioned is Shorty McDaniels. Whenever he hears any one discussing the possibility of your being connected in any way with those robberies he goes wild, calls you his friend, dares any one to accuse you of any crime before him, and

finishes up cursing Jap Slater and crying like a kid. Shorty always cries when he gets drunk or mad. He's been trying his best to get some one, any one, to fight with him over this business. They took his gun away from him last night to keep him from committing murder."

"Shorty's a friend of mine, and so is Grayson," I replied, speaking with some difficulty because of a lump that had come into my throat.

"And so am I a friend of yours," returned Forbes. "And I'm going to prove it. I'm sure you're on the square, Smith, and I'm sure that you can't be convicted of any of these crimes. We'll send up to Modoc for old Hank Slater. He can easily identify you as his passenger at the time of the first holdup. His testimony on the stand will clear you absolutely in regard to the first robbery, and, of course, that will blow up the crazy supposition of your having had anything to do with the other two holdups. I want you to go to Downing and give yourself up. If you'll give me your word that you'll do it I'll let you go alone—now. It'll strengthen your case—your coming in alone and offering to stand trial. No one need ever know that I ran across you here."

I shook my head. "I'm not guilty," I said, "and I'm not going."

"Listen here, Smith," returned the sheriff in commanding tones. "I'm telling you that the people are going crazy over this business. They feel certain you're the outlaw, and they won't falter a minute before lynching you if they find you here. In the face of what they'll consider evidence strong enough to justify it, nothing else can be expected of them. My deputies are all out with Slater and the four Nanville boys, following the loop trail you left for them to-day. They didn't leave here until just before noon, and if they stay on your tracks they'll not be back for a couple of hours yet. I wasn't afraid to trust my deputies to protect you from the Nanville boys; there wasn't enough of them along to get away with any rough work, even if they were crazy enough to start it. But I wouldn't be surprised to find out that word has been passed around for the other Nanville and Berry Valley fellows to meet here to-night on the chance of the posse bringing you in. If they do meet here, it will be for the one purpose of lynching you. I and my handful of deputies can't stand off a mob made up of all the natives in these hills. Maybe you've never seen a mob set about a lynching. Well, I have.

I wouldn't be surprised to hear them hammering up the trail any minute now. Get your horse and beat it!"

I shook my head as I shoved back my empty supper dishes. "No," I answered. "If there is a mob coming for me to-night I want to be here to meet it. All I ask is that Jap Slater rides in the lead and that the moon stands out from behind the clouds a little when he heads the rush. I never knew before that I am a murderer, but I know it now—know that I am at least a murderer at heart. I am fairly aching to murder Jap Slater or any other man that comes here to-night for trouble. Ever since I first came into these hills over a year ago I have tended strictly to my own affairs. I have neither harmed nor intended to harm any one. I have treated every one in a way as fair and square as I knew how. I have gone further than that—I have overlooked acts on the part of others that I should have picked up to fight about. I've stood around for so long like an old, sick sheep, taking everything that chanced to come my way without showing any signs of resentment, that these brush hurdlers and sidehill-geared natives, I guess, have come to the conclusion that there is no fight in me. But I'm through with all that. I'm going to take mighty good

care of Jack Smith—and of Jackson Bailey Smithers, too, for the matter of that—from now on as long as I can wiggle a trigger finger. Who comes here tonight for excitement comes to a surprise party and goes away to a funeral."

The sheriff sat in silence till I had finished with my silly boasting. A ripple of slight amusement had come to play about his keen, sharp, straight-edged lips. He passed a steady brown hand across his mouth as if to brush away the hint of a smile.

"So you're going to get the mob spirit—going crazy, too, are you?" he asked. "Going to let yourself in for some real trouble, eh? I thought you had better sense than that, Jack, but I suppose you'll have it your own stubborn way. You've got just about time enough left, though, to change your mind and take my advice. Get your horse and hit off across the hills for Downing. For the last time, what do you say?"

I shook my head in answer.

"Consider yourself under arrest then. 'As my prisoner I'm going to take you to Downing. Get your horse——"

The sheriff paused and craned his head toward the open doorway to listen. I caught the sound of drum-

ming horse hoofs from somewhere down the trail and across the meadow in front of the cabin.

"It's too late now," whispered Forbes. "They probably have this place surrounded. Blow out that light, rustle up all your ammunition, and get your gun ready. I'm going to call out some good advice, and if they don't take it—well, after that it's every man for it. Don't open fire till I give you the word; then give them all you've got."

The sheriff crept to the open doorway. I fumbled around in the dark till I found an extra box of cartridges, and then joined him there.

"See here, Forbes," I whispered, "this is my row—leave me to handle it myself. Get out there in the clear while you have a chance; maybe you can reason with them out there in the open."

"Can't reason with a mob," he answered. "If this is a mob, we're past the reasoning point."

"Get out there, anyway," I whispered back. "It's me they're after, you know. Let them come on to get me. You'll be in as bad a boat as I if you wait here till they rush the shack. This is my row, you know."

"The devil it is!" said the sheriff. "Since when, I'd like to know? You're my prisoner, remember, and no one has ever taken a prisoner away from me yet.

The thing has been tried twice. I'm getting in a hurry for some one to start trying it again—right this minute!"

I laughed a little foolishly in my excitement. "Don't get the spirit of the mob and go crazy, too, Forbes," I told him.

He passed the laugh back. "At heart we're both killers, Jack," he said. "I guess all men are at times like this, when things come to a showdown for them. You're glad for the chance to put up a fight for your life. I'm glad for the chance to fight alongside you—not just because you're in the right and a friend of mine, but because you're my prisoner. It's my duty as well as my right to fight for you."

Because of the slope of the hill the front of the shack had been built five or six feet above the ground level. Our vantage point was the open doorway. We lay side by side, shoulder to shoulder, stretched upon the floor with our six-shooters thrust out to cover the little meadow before us. The moon had gone behind a cloud, and we could make nothing out in the half light below, but we could still hear the drumming of hoofs, and the sounds came now from the meadow, just beyond the water hole, which was not over fifty yards away.

After a moment our eyes became more accustomed to the deceitful light, and we were able to make out indistinctly the form of a lone horse and its rider. The horse came on, running straight in our direction, until it almost reached the water hole.

Then Forbes called out in a clear, sharp voice: "Halt!"

Between two jumps the horse fetched up short.

"What's your business here? Forbes, sheriff of the county, wants to know!"

The answer, coming in clear, steady tones, gave me a surprise that almost jolted the automatic out of my hand.

"I'm Patsy Saylor, and I've come to warn you that a mob is on the way here from Nanville—hunting for Jack Smith to lynch him. Is Jack Smith here?"

"He is," answered the sheriff. "I have him prisoner."

The girl had dismounted and was coming toward us, leading her horse. "Then you had better get him away from here quick!"

"He's a stubborn fool, and he won't go," answered the sheriff. "He insists upon staying to put up a fight."

The girl had come to a pause within a few feet of the steps. I could hear her stamp her foot.

"Fight!" she cried. "No! There'll be no more fighting! You've got to get him away from here, I tell you! There's been bloodshed enough around here to do for a long time to come."

"You keep out of this, Miss Saylor." I answered her this time. "You go before they get here. There *is* going to be a fight."

"You'll go away," she interrupted angrily.

"Do you know," I asked her, "that I am suspected of being the murderer of Sol Menzinsky and—and of your father?"

"Of course," she answered.

"Well, why do you interfere for me then?" I asked. "You have your own suspicions, I suppose. Perhaps you, too, think——"

"I didn't come here to tell you what I think, nor to argue. I came here to warn you! You did me a favor back there on the trail one day, when you shot a horse that was about to drag me to death. I gave you my word then that I'd return the favor some time, if I ever got the chance. That's what I'm here for now—to return that favor."

"Thanks just the same," I answered, "but I'm going to stay and fight it out. I'm going to find out if——"

"I tell you there's been fighting and bloodshed

enough over this terrible affair already. The mob plotted to set out from Nanville at seven o'clock this evening. Shorty and Grayson got wind of the scheme and started a gun fight. Two of the Shoveltown boys and Grayson were shot during the mix-up; it is not known whether they will die or not. Shorty McDaniels was wounded in the side. He stole away, got his horse, and set out for here to warn you. When he reached the ranch he was too weak to come on. I left my aunt to put him to bed while I came on with the warning. Shorty and Grayson have done all they could for you, and now you have this one last chance to save yourself and to prevent any more murder, and if you don't take it," she finished determinedly, "if you won't go, I am going to stand out here in front between you and the mob."

"That settles it," I answered. "I'd much rather stay and fight my own battle out here and now, but I've never yet stood behind a screen made of a woman's petticoats. Come on, Forbes, we'll go."

We ran to the corral for our horses, and galloped from there across the meadow, with the girl riding between us.

We hit the trail at the edge of the meadow, and,

with Forbes in the lead, strung out in single file. A little farther along Forbes brought us to a halt.

"Take to this side of the trail into the brush," he commanded. "I can hear them coming."

We wheeled our horses from the trail and crowded them into the center of a dense little fir thicket on the hillside to wait. The mob came up the trail riding fast. As it passed abreast of us, the moon came out from behind a cloud for a moment, and I caught a fleeting glimpse of that frenzied gang. All told, there must have been fifty men.

Since then I have often dreamed of that hideous cavalcade in all its gruesome and vivid detail, just as I glimpsed it there in the moonlight through an opening in the thicket, and always I have awakened from those dreams chattering and sweating, terror-numbed and paralyzed with fear. But while I crouched there in the brush I knew no fear. I felt only a mad, dizzying flood of fire-hot blood go swirling through my tense body, from the ends of my toes to the tips of my fingers. I longed with the intensity of pain for one of our own horses to paw, to snort, to do anything to give our hiding place away, that I might have an excuse to give that mob what it was riding far to find—fight! I wanted to jump out and

have at them tooth and boot, fist and gun, in one grand mêlée, there in the brush on the hillside!

I stood beside the sheriff, so close to him that our arms touched. He was quivering, trembling as a man might from fear. But I knew that Jed Forbes was not afraid. I think that he was as anxious for the fray as I was myself.

The mob passed on out of hearing. Miss Saylor started back down the trail for the Ripple Creek Ranch. Jed Forbes and I set out across the hills for Downing, intending to cut into the stage road at the lower end of the Shoveltown ridge. I was on my way to stand trial for highway robbery and murder.

The moment of tense excitement had passed. I chuckled to myself at the bare absurdity of my predicament. I wondered amusedly just how the district attorney would go about trying to prove that I was my own robber—that I had held myself up there in Chaparral Chute more than a year ago. Later, as you shall see, I didn't find so much amusement in watching the district attorney work out his prosecution.

CHAPTER XVIII

IN JAIL

THE people of the hill country had cooled down to some semblance of sanity again before my preliminary hearing was held. I had engaged Philip Rideout, of Downing, as my counsel. Rideout had been unable to locate either Hank Slater, the stage driver, or Hapgood Day in time for the hearing. We had counted somewhat on the testimony of old Jake Swingle, the hotel keeper at Shoveltown, to prove my innocence, but were surprised and disappointed to find that Swingle was the star witness for the district attorney.

I had no witnesses. My defense was weak. Except for my own uncorroborated testimony, I had no defense. I was bound over to stand trial in the superior court at Downing on the first count in my string of indictments—murder in the first degree.

On the day next preceding the one set for my trial, as I sat in my cell in the county jail at Downing, Phil Rideout came for a conference. The jailer let

Rideout into the cell, locked him up with me, and then went away again.

Rideout pulled the ugly little jail stool up close to where I squatted on the bunk, and sat down. This was in the early summer, and the excessively hot weather of Downing had already set in. The plump bulk of Rideout settled down upon the little stool, until it bulged and squashed and hung out over the edges uncomfortably. In his pudgy hand he held a handkerchief, which was large enough to answer all the practical purposes of a towel. With regular, automatic movements he mopped his round pink face.

Could you have seen him as he sat there with his trousers wrinkled, with his moist silk shirt on the verge of giving way to the persistent strain of billowy flesh, with his spotted and frayed, black string tie knotted about his massive neck, you might have concluded that Attorney Philip Rideout was a very sluggish, stupid, careless man. But had you talked with him for a moment, you could not have prevented his pleasing personality coming out to meet you—to master you. For, mentally, Rideout was not a slow or sluggish man.

"Smith, I just got back from Mexicali," he said; "and I didn't bring you any good news. I was unable

to hear so much as a single whisper about this Hapgood Day. Not a man, woman, or child in that whole country could remember having seen him. There's nothing surprising about that, though, for in Mexicali a thousand strangers come and go every day.

"I just got a telegram from our detective in New York. He has interviewed all of Day's old acquaintances there—even the girl to whom he was engaged—and he has been unable to pick up a single clew. No one, it seems, has heard from Day since he left there over a year ago. Hapgood Day has dropped out of sight entirely. It is, perhaps, as you feared: He went down South, died, and was buried without being identified. He looked pretty far gone to me that day you brought him into my office to have the deed fixed up. I guess we'll have to try to get along without Hapgood Day's testimony; but if I could put him on the stand for just two minutes, I'd clear you on this first charge. A verdict of not guilty on the first charge would blow all the other charges skyhigh. Blevins, even, would have sense enough to quit then.

"We have no more chance of finding Hank Slater than we have of finding Day. I know now that he did not go to Modoc, as he said he intended to. For some reason or other, he has deliberately gone into

hiding—and he has covered his trail well. I have not called off the detective I sent out to find him, yet; but the time is growing too short for us to have any reasonable hope of having either Day or Hank Slater here for the trial.

"The only other man who could possibly do us any good is old Jake Swingle; and you know the stand he took at the preliminary. He's your enemy, and wants to do you harm. That trick you played on him, by buying the horse at less than half price, got you in wrong with Jake. Those old fellows would rather a man would do almost anything to them than beat them in a horse trade."

"You mean the trick that old Swingle played on himself," I answered.

"Have it your own way," returned Rideout. "It really makes no difference, one way or the other. The fact remains, and he intends to do all he can to help Blevins convict you."

"As I understand it then, from the way you have the whole business summed up, I've got to hang for a crime I had no hand in. See here, Rideout," I continued peevishly, "if that's all you came here for—to tell me just how bad my case looks—I wish you'd go away again; I'm blue enough now."

"I didn't come here to make you feel blue. I came to go over the whole thing again from the start. If you had only told all you knew about the robbery at the beginning, we would have a better chance now. Why didn't you tell Forbes that the fellow was lame, that he limped? If you had mentioned the fact that you believed Saylor recognized his murderer, and had given your reasons for believing that, just as you have given them to me since, we would have something to fight with."

"I have told Forbes all that since the hearing," I answered.

"Yes, of course; but I don't see how that can do any good now."

"That's what Forbes says," I answered. "He thinks it will be better not to mention those facts during the trial."

"They'd sound fishy, if we'd bring them in this late in the game," returned Rideout. "How did you explain to Forbes your reason for not telling him before? Did he seem to believe you?"

"Of course he did," I answered. "Forbes is my friend. I told him that I didn't mention those important facts, when I met him first, because I had a crazy idea that I could run down the highwayman

single-handed, just by lying low and keeping an eye out. Forbes was a little provoked with me for keeping these things to myself so long. He thinks that he might have been able to get our man long before this, if I had given him that extra information."

"I've had a talk with Blevins. District attorneys are a cold-blooded lot as a rule, you know; but I've never seen one of them more determined to convict a man than Blevins is to convict you. He thinks he'll win this case in a walk-away. His cocksureness is disgusting. He hasn't one speck of modesty, or sympathy, or anything else that makes for good in a man. He looks at this business as being just a case. He says it has roused so much interest that the winning of it will put a big feather in his cap. He's as positive of a conviction as I am of an acquittal."

I laughed a little tauntingly. "On what grounds do you expect to get an acquittal?" I asked.

"Well—er—my plea to the jury. I'm going to be mighty careful in picking that jury. That's about all we'll have to protect ourselves with in this case—our plea. Of course, your appearance, your personality, is going to count for something at the trial. You don't look like a murderer or a highwayman. I've

always had pretty fair success in pleading for the life or liberty of an innocent man before a jury."

"Thanks," I said. "But are you sure that I'm not guilty in this case?" The moment the words were out of my mouth I was sorry that I had spoken them.

Rideout looked at me almost as if he thought I had tossed him an insult. "The first thing I do before accepting a murder case," he answered, "is to convince myself of the guilt or innocence of the accused. If I thought you were guilty of the crime you are charged with, I would refuse to handle your case. To defend cold-blooded murder isn't my business! I have more scruples, and consequently less money, than some men have who follow my profession."

"I'm glad to hear that," I told him. "If you thought that I am guilty, I would try to get along without your counsel."

"We have to admit that it looks pretty bad for us as far as evidence goes, but I'm going to get you at least a disagreement of the jury. I won't see an innocent man convicted and sentenced, if I can prevent it."

"A disagreement of the jury would mean that I'd

have to stand trial again on this same charge, or on one of the others, wouldn't it?"

"Yes," answered Rideout. "It would mean the same thing over. But buck up. I've got to leave you now and get busy," he finished, as he rose to call the jailer to come and let him out.

I felt a little more encouraged after this talk with Rideout. Still, I was afraid that my attorney was not so confident of his being able to get me off, as he would have me believe.

CHAPTER XIX

ON TRIAL

MY trial began on the next morning, and I sat all that day listening to the battle being waged between the prosecution and the defense over the selection of the jury. The monotonous repetition of the stereotyped legal phrases, as they passed in the examining, challenging, excusing, and accepting, down through the long list of prospective jurors, proved peculiarly irritating to me.

One of the many questions put to each man was: "Are you opposed to capital punishment?" I was surprised to note what a stumbling block that question was to most of the men examined. Some of them answered "Yes," others "No." Many faltered, being totally unprepared to answer. Seemingly, they had never given the matter a thought previously. They could not decide offhand. By the time twelve men, tried and true, had been selected to fill the box, the venire was exhausted, and the first day of the trial came to an end.

I was not favorably impressed with the looks of those jurors. They seemed too stolid, too dull, I thought, for a man to trust his life and liberty with. But there was no other way for it. There they were ready to sit on the case and to weigh the one-sided evidence. Of course, not one of those twelve men had failed to answer in the affirmative that question: "Are you opposed to capital punishment?" This reiterated capital-punishment phrase got on my nerves long before they were through with it. It seemed that I could feel the rope about my neck with its every repetition. I came to wince noticeably at the sound of it.

That night, just before I tumbled into the sagging cot in my cell, I remembered something that I had not thought of for more than twenty years—something that my mother had taught me when I was a little tot, back in the old home which seemed so far away now—I remembered to pray. I dropped to my knees on the bare, steel floor of the cage, and buried my face in the rough jail blankets and asked God to send Hapgood Day to my rescue on the morrow.

The first witness placed on the stand, when court opened next morning, was old Jake Swingle. He identified me as the man who, accompanied by another man, had come to his place in Shoveltown, at about ten

o'clock on the night of the first robbery in Chaparral Chute. He said that we had entered his store and got some cigarette papers and tobacco from him, which we refused to pay for, saying that we had been robbed. From the store we went to his hotel, where we got a room and something to drink from his porter. He said that our queer actions had aroused his curiosity, and that when he got word of the robbery and murder, his suspicions were aroused also. He said that he came to our room to question us, and that he found us there drunk, with a pile of bills on the table before us. He thought that there must have been several thousand dollars in that pile of bills—ten thousand, maybe.

According to his testimony, we told him that if he didn't leave the room at once we would throw him down the stairs on his head. He said that he went at once, because we acted queerly and he was afraid of us. On the next morning we got horses from him and left for Downing. When he asked us our business, he said, we answered civil questions with foolishness. He said that I had returned the next day and gone to live in the hills near Nanville.

The prosecution put Jap Slater on the stand next. Adroit questioning on the part of Blevins established to the satisfaction of the court Slater's qualifications

to give expert testimony—that of a professional man-tracker. Slater cited many instances of having been employed by the county, the State, and even by the government to trail outlaws. Most of this tracking, according to Slater's testimony, had taken place in the Modoc Lava Beds. He proved that in many cases he had been successful in running down his man. In reference to the case on trial, he testified that he had trailed the robber from near the upper end of the Chaparral Chute to the middle of the arm of lava. He pointed that trail out for the jury on a map which the prosecution had furnished. He indicated a point on the map where he had lost the robber's tracks that first time. He had been unable to pick up the tracks again, and he had no idea as to where they had led from there.

Blevins questioned the witness: "Could the robber, in your opinion, have left the scene of the robbery in Chaparral Chute at, say, six o'clock in the evening, gone to the point where you lost his trail, turned south from there, and have arrived at Shoveltown by nine or ten o'clock on the same night? Could he have traveled from where the stage was held up to the point in the lava which you have just pointed out on the map, and from there to Shoveltown in three or four hours' time?"

Slater's answer: "That wouldn't be fifteen miles. He could do it easy."

Question: "Did you find anything on that trail to identify it as the robber's?"

Answer: "Yes; an empty wallet."

Question: "Is this the wallet you found on the trail?"

Answer: "Yes, I identify that as the one by the initials—J. B. S."

Question: "Have you ever had the occasion to do any more tracking from the scene of this robbery, since this time you mention?"

Answer: "Yes."

"Tell the court about these other times."

"Your honor, I object," interrupted Rideout, "on the ground that anything of this nature that may have taken place at a later date has nothing to do with this particular case!"

"Your honor," cut in Blevins, "this further tracking which the witness testifies took place subsequently, besides further establishing the competency of the witness to give expert testimony as a trailer, certainly has a great deal to do with this particular case, as I intend to bring out very shortly."

"Very well," returned the judge. "Objection overruled. Answer the question."

Answer: "I was deputized by the sheriff again, one day last fall, to track a stage robber from the same place in Chaparral Chute. I lost the tracks again, in about the same place in the lava, on the trail that runs from the Ripple Creek Ranch to Big Muddy. Not long ago, on the day after the last holdup, I tracked the robber to the same place where I had lost the trail before. Then I picked up the tracks again in the trail I mentioned, and followed them to Jack Smith's corral at Big Muddy."

And so the examination of witnesses went on. I will not bother to repeat much more of the business of the trial in detail, as I merely wish to give some idea of how black the outlook seemed for me.

The prosecution called more witnesses to the stand to prove the fact that I had used two different names while I had remained in the country. I was at a loss to find what might seem a logical explanation for using those different names. Finally the prosecution rested its case. After the noon recess I took the stand in my own behalf, and told my story much the same as I had told it at the preliminary hearing, except that I now added a few details.

From where I sat in the witness chair I could look out across the main street of the little town of Downing to the railroad station just beyond. The train pulled in from the south, and I looked among the discharged passengers for Hapgood Day. For some strange, persistent reason, which I could not explain even to myself, I expected to see him swing from that train and come toward the courthouse.

All day I had waited anxiously for the coming of that train; and I was sure that he would be aboard when it pulled in. But no one alighted from any of the cars, so far as I could tell, whom I had ever seen before.

I had almost finished the telling of my story to the jury; now I faltered and paused in disappointment. The judge reminded me that I was on the stand, and ordered me to proceed. I glanced toward the jury box again. I might as well have faced a double row of stone statues. Twelve pairs of expressionless eyes were staring me down. Half-heartedly I picked up my testimony where I had left it off, and brought it to an awkward close.

As I rose to leave the witness stand, the loud roaring from an open exhaust attracted my attention. I looked from the window again, down the long, hot main

street. I saw a flashy, red racing car swerve toward the courthouse in a cloud of dust. The car came to a short stop with a squealing of brakes. A man leaped to the ground and came running toward the courthouse steps. He was a short, heavy-set man, and I did not recognize him.

A moment later Happy Day burst through the swinging doors of the courtroom—a Happy Day who had changed greatly in appearance since I had seen him last; but I recognized him now. He took in the situation with one sweeping glance. He stepped to the railing with a smile.

"Who's your counsel," he whispered in my ear.

I nodded toward Rideout, too greatly excited, too giddy with a new feeling of relief and happiness, to trust my voice to whisper back.

A moment later Hapgood Day was in the witness chair. A new atmosphere had come into the warm, sleepy courtroom with Happy's appearance. New interest in life was evinced from every corner.

In a simple, straightforward manner, which could not help winning credence for him, Hapgood Day told the story of that first robbery in Chaparral Chute. He identified me as his fellow passenger. He told of our walk to Shoveltown, of our night spent there together.

He even told, with many chuckles, how I had bought Silver from old Jake Swingle at such a ridiculously low price. He got a laugh out of the jury here, and a smile from the judge. I felt the tension, that I had known for the last few days, snap. Happy's story corroborated my own story in every essential point. He finished his testimony, and Blevins took up the cross-examination.

"Mr. Day, where have you been during the past year; and what have you been doing?"

"I've been in Texas getting back my health, and incidentally, making over a million dollars in the oil fields."

"What brought you back here to-day?"

"I was in San Francisco yesterday on business. I noticed, by lucky chance, an account of this trial in the papers. I was too late to get the last train to-day, so I drove my own car as fast as the speed cops would let me, to get here in time to prevent an innocent man being railroaded to the penitentiary or the gallows."

The jury was out less than five minutes before it returned with a verdict of not guilty. The judge thanked the jurors and excused them from further duty. The spectators cheered, and dozens of them crowded around to congratulate me. My eyes were

misty, and I could not see clearly the faces behind all the hands I shook. The touch of one hand gave me a thrill. It was a warm, soft hand, and the owner of it was smiling up at me with great blue eyes which, I somehow fancied, were just a little misty, too.

"I am glad," said Miss Saylor, as she withdrew her hand from mine, and disappeared into the crowd.

CHAPTER XX

THE LURE

THAT night Happy Day and I had a grand reunion at Downing's best hotel. It did not take him long to tell me about all the strange adventures he had had during the past year. From his story I was able to gather the fact that he had been just about ready to give up all hope and quit for good when he got my letter with the twenty-five-hundred-dollar check.

It seems that the same day he got my letter he met some one who had had experience in handling oil-land leases, but who was then about broke and was looking for a partner with a little money. This speculator had taken Happy and his twenty-five hundred dollars in charge. Together they had gone to Texas and invested in leases, which had made them millionaires. This new partner had soon sobered Happy up—had sent him into the open country to camp out.

Happy's health had improved, until he now had unquestionable assurance of complete recovery. The

jerky cough which had so persistently racked his frail frame of a year ago had entirely disappeared. It was hard for me to believe that this cheery, robust fellow had any connection with the morose, cynical, dying man who had introduced himself to me that night in Shoveltown when we first met.

"There's such a change in you—how did you do it?" I asked him.

"You had as much to do with it as I had," he answered. "I had given up and was just lying around Mexicali soaked in mescal, waiting to fall over and croak in the street, when your letter with the check came. That was my life saver, showing up just when it did to fit in with other bits of luck. It's not so altogether remarkable, my getting well, under the circumstances. Turn a man loose outdoors, make him work, make him live decently, hammer a new interest in life into him—as that new partner of mine did for me—and there's little danger of his dying of consumption. After all, my case was not so bad as I thought it was. Too much cigarette smoking had as much to do with that cough of mine as lung trouble had. My imagination had a lot to do with my sickness, too. I had come to think that I was doomed.

"As soon as I cut out the cigarettes and the whisky

and got my mind busy with something besides my sickness, I picked up fast enough. I'm off the cigarettes; so you needn't mind about getting back those monogrammed ones. I don't need the money I lost in that stage holdup, either; so, as far as I'm concerned, you can settle down and give up your amateur detecting. You came near putting your neck in the noose by meddling with that detective business, just as I was afraid you would. Now that you're out of that mess, I'm going to talk you into going back to Texas with me. I'll show you how easy it is to make a fortune in the oil fields."

I laughed. "I told you, Happy, over a year ago, that I was going to like that country up there where I have been lately. Well, it's a little corner of God's own country that's just being opened up to civilization. It suits me better than I thought it would. I'm going to live there all my life, and die there when the time comes. I'm so much in love with those hills that I'll never leave them again. There are chances to make money there, too. The chances for making a lot of money fast may not be so good there as they are in the oil fields; but my layout up there is a sure-pay proposition, and I already see my way clear to gather all the wealth I'll ever need."

Happy gave me a sly smile. "Not in love with anything besides the hills, are you, Jack? No fair maid mixed up in this love business of yours, is there?"

"No, no fair maid!" I answered, feeling a little provoked.

"Who was the young lady that came up and held your hand so long at the end of the trial?" Happy was still smiling.

"That was Miss Saylor," I answered him solemnly. "She is the owner of the Ripple Creek Ranch, which you sold me your interest in."

"Oh, I see. So she's your partner in the ranch?"

"Not now—I gave her my interest in the place." Then I went on to explain to Happy all that had taken place since I first had gone to the Ripple Creek Ranch. "I want you to go up and stay with me at my homestead at Big Muddy for a while. I'll show you some real country," I finished.

"I'd like to go along, Jack, but I'm afraid that I'm too busy with my own layout down in Texas to spare the time now. Anyway, from what I saw of that country up there, I know it hasn't any special appeal for me."

Slater passed through the hotel lobby a little later.

"That's Jap Slater, whom I've just been telling you about. How do you like the looks of him?" I asked.

"I refuse to tell you now," returned Happy. "It's too hot to get all worked up; and, anyway, this is no place in which to use the sort of language I'd have to in telling what I think of the looks of *him*."

"Slater is the man Miss Saylor is going to marry," I reminded him.

"No, I'll be hanged if he is! It's contrary to the whole scheme of things for such a girl to marry that—that——"

"Well, at least, Miss Saylor is engaged to marry him."

"Well, then, I'm going to bust up an engagement, even if I have to——" Happy didn't finish his sentence, for just then Miss Saylor entered the hotel lobby; and he paused to gaze at her with a good deal of admiration in his eyes—if I could read them rightly.

"I want you to introduce me to that wonderful girl," he said to me in a whisper. "You just introduce me to her, and then watch me get well acquainted in about a minute! I have some important advice for that young lady, about whom to marry—or, at least, about whom not to marry. I'm going to give it to her!"

"You might as well spare yourself the trouble," I

returned; "it won't do any good. I tried, myself, to tell her a thing or two, and all the success I had was to put myself in the light of a meddler. Miss Saylor is engaged to Slater, and she has queer ideas about keeping her word; and she—well, she seems to have a mind of her own."

"You just give me an introduction, and leave the rest to me," and Happy chuckled.

With a strange feeling of reluctance, a reason for which I couldn't explain to myself, I carried out the request.

Miss Saylor was dressed as I had never seen her dressed before. I've never been the sort of man to rave about a woman's looks or a woman's clothes. I can tell gingham from broadcloth, and just about there my knowledge of goods and textures ends. Of silks and satins and the thousand and one feminine fineries and furbelows, I know nothing; and right here I am handicapped in trying to describe what I saw. I was sure, though, that Miss Saylor was fashionably, becomingly dressed.

The red gold of her hair, the deep blue of her eyes, the rose tint of her cheeks—all blended into a wonderful color scheme with the delicate fashionable clothes she wore—not a color scheme, exactly, but rather a

scheme of tints and shades and high lights, reflections and suggestions of colors, dainty, soft, and alluring. From her broad-brimmed hat, which seemed made from the stuff of a summer cloud with a touch of the sun gleaming through, to her white, velvety ties, there was not a ruffle, a fold, or a line out of keeping. All this I could see with half an eye; and, still, I am not a connoisseur in matters such as this. I had never given them so much as a thought before.

Elsewhere in this tale I have remarked about some men having a way with women. Happy now proved himself to be one of those men. He settled down to a sociable visit with Miss Saylor, with the unreserved and the undisguised relish with which a hungry horse goes after a feed of oats. I left them there, just the two of them, all wrapped up in what they had to say to each other—which, by the way, seemed rather silly chatter to me. I never could get much reason or satisfaction out of the little niceties of speech that go to the making of parlor palaver. My tongue has always been too clumsy for the passing of fancily turned phrases, which have so little meaning for me.

I excused myself awkwardly and withdrew.

CHAPTER XXI

DANGEROUS PLANS

I WENT to look for Jed Forbes, and was not long in finding him.

"Forbes," I said without preamble, "I want you to make me your deputy again. I'm going back up the country in the morning, and I'm going to start on a systematic hunt for the man I was about to impersonate at a hanging. I'm going to keep up the hunt till I find him. I've been acquitted by the court regularly enough, but still I feel there is doubt in the minds of some as to my innocence. I'm going to get the Chaparral Chute highwayman, and clear up this whole affair. I've a personal grievance to settle with this outlaw, anyway."

"All right," Forbes readily acquiesced, "but just how are you going to set about getting this fellow? You've been keeping a lookout for him for over a year now, and you haven't even picked up a new clew. His tracks led right up to your corral gates and you couldn't make anything out of that fact."

"I've been under arrest ever since then," I answered. "A man in jail can't do much scouting around."

"But, *I've* done some scouting around," returned Forbes, "and I haven't made any headway, either. I've been from one end of those hills to the other, and I can't find a single sign. The man we're after must be hidden out there in the lava beds, though. We'd have picked him up long before this if he had headquarters anywhere else."

"That's the way I look at it," I returned; "and I'm going into the lava beds, and I'm going to stay there till I get him."

"Have you ever been in the lava beds proper?" asked Forbes.

I admitted that I had not.

"Take my advice, then," he returned, "and don't go in there alone to smoke out a bad man. It's an awful rock-bound country, and a hard place to keep located in. You'd just as well look in a Prohibitionist's hand bag for a drink of whisky, as hunt for a drink of water in those lava beds, unless you know just where the few water holes are located. You've got the right idea, though. I'm going to leave here to-morrow with pack horses and saddle horses, a camp outfit, and a half dozen good men. We'll be in Nanville to-morrow

night, and early next morning we'll start for a water hole I know of in the very heart of the lava beds. There's not a spear of horse feed in there, and we'll have to send our horses back out. With the water hole for headquarters, we'll begin the hunt; we'll keep it up, and we'll find our man, if we have to turn over every rock in the lava beds to do it! You'd better meet us in Nanville, or at the Ripple Creek Ranch, day after to-morrow morning early, and go along with us."

"I'll do that," I answered. "I'm going to pull out of here some time to-night, so as to have a little time at Big Muddy. I want to have a look at the stock, and see that the water is running in the troughs."

CHAPTER XXII

CLEWS

WHEN I returned to the hotel I found Happy alone in the lobby. He seemed a little excited, like a man who had just taken a few extra drinks.

"Say, Jack," he blurted, as soon as I came within range, "Miss Saylor is sure a winner. I never ran across a girl quite like her before. Why, she's the——"

"All right," I interrupted, moved by a feeling of uneasiness which was new to me, "I'll take your word for it, not being much of a hand at figuring them out for myself."

Happy chuckled. "I'm going back up the country with you," he said, much to my surprise.

"You'll have to begin maneuvering pretty pronto, then," I returned; "for I'm just the same as on my way now. As soon as I can saddle Silver, I'm gone."

"What's the big rush?" asked Happy.

"I've got to get back and look after things at home," I answered. And then I told him about the talk I had just had with the sheriff.

"I'm going along on that man hunt," volunteered Happy. "I've a hunch we'll get our hombre, too. I've been thinking over all you've told me about this Jap Slater, and I have some ideas. I'm going to make it a point to keep my eye on that gentleman for a while. He's had something to do with those robberies; you mark what I'm telling you!"

"I'm sure you're right there," I answered. "But he's a slick one. I've been trying to get something on him ever since the minute I laid eyes on him; but he's too foxy for me. If he were over six feet tall, and considerably bunged up in the legs, I'd be sure he is our man. But you can see for yourself that it would be physically impossible for him to be the long stage robber who transacted business with us. And the description of the robber of each of the holdups tallies with that of the first."

"He can't be the robber, of course; but I'll bet if we watch him, he'll lead us to the robber."

I shifted the subject.

"So, you've had a change of mind, and are going home with me, eh?"

"Yes—that is," Happy fidgeted a little, "I accepted Miss Saylor's invitation to visit the Ripple Creek Ranch for a week or two. Of course, I'll spend most of that

time with you. I'm not going to leave here to-night, though. Miss Saylor will ride up with me in the car, if you'll lead her horse home for her."

"I don't know about getting a car through to the ranch," I answered. "The road is pretty steep and rough in a few places. There's never been a car beyond Shoveltown, I believe."

"That'll make the trip just that much more interesting," answered Happy. "I can go anywhere with that boat of mine. They haven't figured how to build roads too steep for her yet. You take a look around at your cow brutes to-morrow, and to-morrow night come on down to the Ripple Creek Ranch. Miss Saylor and I will be there when you get in."

So that was planned.

I got back to Big Muddy before daybreak the next morning. Silver and I had a good rest there during the day while I waited for the cattle to come in to water at the troughs. I counted the cattle; none were missing. Apparently nothing out of the ordinary had taken place around the homestead while I had been away.

In the late afternoon I set out for the Ripple Creek Ranch and arrived there just in time to have supper with Miss Saylor and Happy.

Shorty was there at the ranch. He was still a little feverish from his bullet wound; but he seemed to be getting along as well as could be expected. Grayson was also in bed there at the ranch. He was not recovering so rapidly as Shorty, but he, too, was out of danger. Both men had had a rather narrow escape.

Shorty was effusive and just a little profane in his greeting. Grayson, as usual, was buried in a big book filled with small print. He looked up at me, nodded, and turned back to his reading. But what I saw in his eyes during that momentary glance told me that he was just as glad to see me as was Shorty.

I felt a strange puckering of my throat and a moistening of my eye as I looked from one to the other of these worn, white-faced friends of mine, as they lay there in their beds in the little spare room of the ranch house. These were men who believed in me, men who had fought and almost died to give me my chance to live.

It was late that night when Happy and I went to the bunk house to turn in. We were alone there, for Jap Slater had not yet returned to the ranch.

A little before daybreak I was awakened by a hand held across my mouth. Then there came a few hurriedly whispered words in my ear. "Don't move!

Don't make any noise!" It was Happy Day who whispered this to me. He went on with whispered caution and explanation:

"A man just came in, unlocked the door of that room, and went inside. I was awake—heard him pull off his boots outside. He slipped through here in his sock feet. He's busy in the next room there now. I could see him against the light of the sky when he came in. He had a sack in his hand. After he came in I slipped up to the door where I could hear him—sounded as if he was putting something into the sack. I think he'll be out this way in a minute. Get your gun ready! I have an electric torch here; when he comes back I'll flash it. Cover him with your gun, if he has that sack with him—make him dump it on the floor and show us what's in it. I've a hunch we're going to find out something about those stage robberies!"

I felt about noiselessly for my automatic, and found it just in time; for I had scarcely sat up on the edge of my bunk, when I heard the door of Slater's room being opened slowly and cautiously. And then there came the faint sounds of creaking floor boards, as some one came on toward us through the pitch-dark room.

Happy snapped on his electric torch; and there in

the small circle of white light stood Jap Slater, blinking like a surprised rat. In one hand he held a gunny sack; with the other he made a move for the six-shooter at his belt. Before his fingers could touch the gun, I was at his side, with the barrel of my automatic pressing tight against his ribs.

"Throw down the sack," I commanded; "and get your hands into the air!"

Without a word he complied.

Happy reached for the sack and turned it mouth down to the floor. Packets of bills, gold and silver coins, and a big handful of trinkets rolled out upon the bare boards. A box of cigarettes fell among the loot; the lid came off, and a dozen monogrammed cigarettes tumbled out. Happy laughed a little hysterically.

"My own special make," he said.

I passed a fleeting glance to the swag upon the floor. In the passing of that glance Jap Slater reached the door of the bunk house with a single bound, dived through it and was gone.

As I jerked on my pants and boots and shirt, I heard the creaking of saddle leather and the pound of horse's hoofs.

"I'm on his trail," I panted to Happy. "Can't let

him get away now! Hurry to Nanville with word of this to the sheriff!"

I ran for the horse stable. In a moment I had the saddle on Silver, and was flying up the trail toward Big Muddy, just within earshot of the hammering hoofs of Slater's buckskin.

CHAPTER XXIII

OVER THE LAVA BEDS

WE ran a mad race along the trail. I rode Silver harder than I had ever ridden any horse before; but the buckskin held gamely to a pace that was hard to tie. After a mile or so the drumming of hoofs sounded a little louder. I was gaining! Had Slater kept to the trail, I would not have been long in overtaking him.

We came to the edge of the brush-covered hillside and took to the arm of lava. Halfway across I became suspicious, and drew rein to listen. From far off to the north I caught a faint sound—the click of steel on rock. Slater had left the trail and headed up the long lava arm for the lava beds above. I swung Silver from the trail to the new course, giving him more time now to pick his way among the rocks. The buckskin seemed to have a little advantage over Silver here, and I soon lost the sounds of his shoes.

I hung to my course as well as I could without further clew, until shortly after sunrise. In the growing light I studied the country about me. To the north I

saw only ridge and ravine of lava, stretching into confusion. Behind me lay a fringe of scrub oak and brush thicket, rapidly growing indistinct in the distance. All about loomed only the monotonous fields of jumbled lava. I felt as a man must feel who drifts out to sea in an open boat. I was drifting out to sea—a great, lonely, treacherous, uncharted sea; an iron sea of giant-towering billows, and cavernous troughs; a sea that, during an angry storm, had petrified into weird, grotesque contortions.

I crowded Silver on, along the crooked, crazy ravines, across the interminable, confusing ridges. The sweat dripped from his saddle blanket, lathered his sides, and crusted into salt on his flank and shoulder, where the dry, hot breeze and the scorching sun fetched up together.

In the middle of the forenoon I saw a distant blur move slowly, top a ridge, and disappear. A little later, on the crest of another ridge, I saw the blur again; and recognized it this time as Slater and his horse. I had swerved a little from the course, and now, as I swung into direct line again, I drew the blood from Silver's flanks with my spurs.

I topped the rise from which Slater had disappeared, and, after closely watching the surrounding country

for a moment, I caught another glimpse of him. He seemed closer now, and I knew that I was making better time. The buckskin wasn't holding out so well as Silver. This fact gave me new hope, and I hurried on. Until now Slater had held an advantage; while I had been forced to watch for him, he had been riding straight on. Half a dozen times during the afternoon I caught glimpses of my man, as he pushed on, deeper into the heart of the lava beds; and with each sight of him, I found that I had come a little closer.

The sun set; a full moon picked up the ruddy afterglow of evening and plastered the lava beds with a flat, white light. Slater came into sight on the summit of a high ridge before me, almost within range of my automatic. Without dallying he dipped from sight again beyond the ridge. I could see that the buckskin had begun to go wabbly. Slater couldn't shove him much farther into that pile of jumbled rocks. But the day's ride had told on Silver also. Never before had I punished a horse as I was now punishing Silver.

The day had been hot, we had come to no water, and my canteen was only half full. All that race, since we had hit the lava arm, before sunrise, had been run along the bottoms of bare rock ravines, and up and down the steep sides of bare lava ridges.

I was asking more of Silver than any man has a right to ask of any horse. I crowded him with my quirt when he faltered; I lifted him with my spurs when he stumbled; and I cursed myself for doing it. But a determination was driving me as ruthlessly as I was driving Silver. I had gained steadily on Slater; I intended to hold what I had gained, and to gain some more. I was determined to get my man, even if it were necessary to ride Silver to death to do it.

I climbed to the summit of another ridge and saw Slater in the draw below me. The ridge directly across that draw rose higher than any of the ridges we had yet come to. It rose almost as a cliff, sheer and precipitous. There would be no riding our horses over that ridge. All that remained for Slater to do was to turn either up or down the draw, or to double back on his tracks. He turned up the draw. Evidently he had not paused on the last ridge to study the lay of the country ahead. Instantly I saw that Slater had ridden into a trap. The draw up which he was heading was a blind draw! The ridges on both sides of him rose higher and steeper, to converge, a half mile or so beyond, like the sides of an angle in a wall.

Shortly after choosing his direction in the draw, Slater must have realized the fact that he had trapped

himself. He allowed the buckskin to slump into a creeping gait, and he rode, half turned in the saddle, to watch Silver scramble down the steep slope of the ridge toward him.

Suddenly Slater opened fire. The range was long, and the light was bad; but, nevertheless, his bullets came uncomfortably close—one of them chipped the lava between Silver's forefeet. Slater emptied his six-shooter and paused to reload it. I was several yards nearer now. I shouted to him; and he answered with another shot.

Then I brought my automatic into play and gave him better than he sent. My first shot went wide; my second tumbled the buckskin headforemost into the rocks. Slater had scarcely hit the floor of the draw, when he scrambled to his feet, picked his bearings, and then started on a run toward the head of the box cañon.

Here, owing to the rough going, he could make better time on foot than I could on horseback. I came abreast of the buckskin, and finished him with one shot; dismounted; jerked the bridle from Silver; wheeled him around, and slapped him on the rump with my hat, to give him a start on the back trail—I wanted

Silver to have a fair chance to make it back to water. Then I took out afoot after my man.

We ran an even race for a quarter of a mile. Another quarter of a mile would bring Slater to bay in the angle formed by the junction of the cañon walls. Suddenly Slater swerved to the eastern wall of the cañon, and began climbing it like a human fly. I didn't think he would ever be able to reach the top. I didn't think the man lived who could scale the face of that cliff—but I was mistaken. I hurried on over the ledges of lava. I was gaining fast now. Even if Slater could continue to climb the bluff, I would come to the foot of it before he could reach the top. There I would be within good pistol range. He would make a fine target for me, up there in the white light, outlined against the black wall.

I reached the foot of the wall just as Slater came near a sort of shallow chute that cut into the solid rock. I had not noticed this flaw in the wall before. It offered Slater a reasonable avenue of escape—escape under cover. I called to him to halt; but he scrambled up and across the few remaining feet to the opening of the chute. I fired, and in the same fraction of a second Slater disappeared from sight.

CHAPTER XXIV

TRAPPED

I TRIED to climb up the way Slater had gone; but I got only a few feet from the ground, and then slid back, tearing the flesh and nails of my clutching fingers. To climb the face of that bluff a man needed toe holds as well as finger holds. I remembered that Slater had not taken the time to pull on his boots that morning before starting out. He was climbing in his sock feet. I jerked off my own boots and tried the rock wall again. I found myself in better climbing trim now. I moved slowly upward, clinging to the shallow crevices and the small rough knobs of the rock. Of course, I could not hold my automatic in my hand while climbing— I had thrust it back into its holster.

I never would have amounted to much as a steeple jack—high places had always held squeamishness for me. Twenty feet from the ground my head began to swim in a sea of dizziness; a nauseating sense of insecurity swayed me, until I felt sure that I would pitch

over backward. I fought for control over my twitching muscles; I clung tighter with my bleeding fingers, and I stubbed my bruised toes deeper into the shallow crevices, without the slightest sensation of pain. I held my face so close to the blank, rough wall that patches of skin were scraped from my forehead and nose. But I continued to climb, slowly; and at last I came to the mouth of the shallow chute, into which Slater had disappeared from sight.

Here I lay, face down, at an angle of about forty-five degrees, still clinging to the rock with fingers and toes. It seemed that I had neither the strength nor the nerve to go on; but after a while I did go on, squirming up the chute like a snake. The chute was not so steep as the face of the wall I had just left; the going was safer and easier; still I had need of both hands and feet in making headway, and I had to leave my automatic in its holster. I was certainly following a ticklish trail.

The probability of Slater's lying in wait for me just beyond made chills run up and down my spine. But I kept on. I don't know how high that bluff is—it seemed to me then more than a mile. Thinking back now, in a more quiet frame of mind, I reason that it is perhaps three or four hundred feet in height. The

chute steepened as I advanced, and I soon found myself again climbing almost perpendicularly.

Unexpectedly, I thrust my head over the comparatively flat top of the wall. I noted that the upper end of the chute formed a sort of saucer, or shallow bowl, not over thirty feet in diameter in the widest place. With head and shoulders above the wall, and arms spread out along the rim of the saucer, I paused to study my situation more closely. What I saw there almost caused me to lose my hold and fall back.

Slater crouched there on his heels facing me, not more than twenty feet away. In his two hands he held his big six-shooter, and he held his hands steady between his hunched knees. His face was twisted into an ugly grin, and his chin hovered close above the lifted hammer of his gun. For a moment we remained perfectly still, staring, with our eyes almost on a level.

Strangely, the one thing that impressed me most just then was the fact that Slater's eyes—those small, black, narrowly spaced eyes that I had always found so shifty—were as steady and straight-staring now as tack heads buried in a stump. Slater's mouth opened, and his lips moved as if to form speech, but no sound came from them. He ran his dry tongue over his drier lips

and tried again. His voice came, weak, wavering, and grating; but his words were unmistakable.

"Stay where you are—and keep your hands still!"

He wriggled toward me, and, with the muzzle of his six-shooter almost poking me in the teeth, he stooped, and ran one hand along my side to the holster at my belt. After a moment's fumbling, he found my automatic, and then, straightening a little, he threw it far out over the edge of the cliff. He squirmed backward to the rock wall at the opposite side of the saucer, and huddled there with his gun in his hands, and with his hands steadied between his knees, as before.

"Now come on up and sit down over on that side. I'm going to talk to you. Don't try any rough stuff—you can't get away with it—your works have jammed! Take it easy, or I'll blow the whole top of your head off!"

I had heard that threat once before; I was familiar with the wording of it—and with the tone of voice also! Slater must have noted my surprise and divined the cause for it.

"You're not mistaken," he laughed hoarsely; "I'm the hombre who did business with you before—down in Chaparral Chute."

"Of course," I said huskily, "but how did you do

it? That holdup man was six or eight inches taller than you are!"

"If you ever get back to the Ripple Creek Ranch, you'll probably find that out. But," he added with a sneer, "I don't think you'll ever get back."

"I don't think so either," I returned. "I suppose you'll pull that trigger in a minute and splatter my brains all over the place. I couldn't expect anything else of a cold-blooded murderer!"

"You couldn't ask anything else of me," he said curtly. "You've certainly played the devil with all my little schemes ever since you came into this country. It's my turn now! But, see here, Smith," a little of the bravado fell from his tones, "I didn't mean to kill Sam Saylor, and I didn't mean to kill Sol Menzinsky—and I want you to understand that! Not that it makes any difference now, I guess—but I want you to get it straight. They both recognized me—I was afraid—that's why I killed them." He seemed strangely intent on having me believe this.

I noticed the stains on Slater's shirt under one arm.

"I almost got you, didn't I?" I asked, pointing.

He laughed uneasily. "No; you're wrong there. That's blood from the horse. I ought to kill you,

Smith—but I'm going to give it to you straight—I haven't got the nerve to do it!"

"You weren't so finicky in Sam Saylor's case, and——"

"That was different—I'm telling you that I was afraid," he insisted in almost whining tones, "but I'm not afraid now. You'll never be in line to do me any harm. I'm going to give you one chance for your life—it's a pretty slim chance, though. I'm going to let you start back. If you don't break your neck climbing down that bluff, you'll probably get lost out there in the lava—and go crazy to-morrow for the want of a drink."

"How about yourself?" I asked.

"Don't worry about me," he returned. "I know where there's a water hole—and a grub cache less than two miles from here. I know the country over east of here. To-morrow night I'll be back in my old stamping grounds. I'll find friends over there who'll hide me out. I'll never be taken—alive; you can gamble on that! If you can make it down the bluff all right, I'll watch you along the bottom of the draw. Keep on going and don't stop—not even to look back, while you're still in range."

"There's one thing I'd like to know before I start,"

I told him. "How about all that fancy, expert tracking you handled so free and easy?"

"I'm an expert tracker, all right," he answered; "but you've never seen me do any tracking. You and Forbes and all the rest are fools. It was easy enough to trick you. I led you around on fake trails—I dropped the wallet and other things myself, and picked them up again to show you. Anything else you want to know?"

"Yes; if I make it out of here all right, is there anything you want me to do for you in turn—any word for any one?"

For the first time during our talk Slater's eyes wavered a little and fell. "Yes," he said slowly, and his voice broke; "tell Miss Saylor that I am sorry—tell her that it all happened because I was afraid. And tell all the rest of them for me, to go plumb, straight to——" His words dwindled into a running mumble; he laughed jerkily, hoarsely, hysterically.

The blood had drained from Slater's once swarthy face, and the moon now flecked his pallor with a greenish tinge. His hands trembled like the leaves of a quaking aspen tree, and his lips quivered piteously as I turned to go. Suddenly the sight of him, swaying

and crouching lower on his heels, filled me with a strange pity. A sorry type of bad man indeed!

Slater still watched me along the barrel of his six-shooter as I backed over the lip of the saucer and started down the chute. A mistiness had come between us. I saw his eyes dimly as through a haze. But I could not tell where the blur was—whether it was in Slater's eyes or in my own.

CHAPTER XXV

BY A DEVIOUS ROUTE

JUST as Slater had predicted, I found the descent much more difficult and risky than the ascent had been. I was afraid to look below to pick my way. I felt with my toes for toe holds, but at times I dangled straight over the bluff, hanging by my hands only.

At last I dropped to the floor of the draw. Sick and giddy I lay there, hugging close to the comparatively flat surface, filled with wonder at being still alive.

The base of the bluff was in deep shadow. The nearest moonlight in the draw was twenty or thirty yards beyond. I rose, drank the few remaining drops from my canteen, and stumbled about the base of the cliff, searching for my boots. I couldn't find them, and at last I set off in my sock feet down the draw, back the way I had come.

My trip out of those lava beds seems to me now horrible as a nightmare, and I don't care to stick too close to detail while describing it. I am sure that I never could have found my way out of that crazily

designed maze of rock ridges and rock ravines had it not been for my pocket compass. I knew that while coming in, after leaving the trail, I had followed a general course to the north. I decided at once not to try to go back along that route, knowing it to be too long and too dry for a man in my condition to tackle. Silver had probably back-tracked himself, but it would have been rank foolishness for me to attempt to overtake him. I reasoned that the nearest edge of the lava beds lay to the west. Ripple Creek I knew must run parallel to that western boundary.

I set a course with my compass and followed it as best I could, hoping to come out to the head waters of Ripple Creek twenty miles or so distant; this was my most direct and surest chance of finding water.

I stumbled along over the rocks all that night. In the early hours of morning the moon went down, and I found it impossible to travel in the dark. I huddled in a hollow of the lava and slept, to dream weird, tantalizing dreams of water. The hot sun of day, beating down upon my bare head, aroused me. I looked for my hat and could not find it; nor could I remember where I had lost it. I crawled with stiff, aching muscles to my throbbing feet. And then I tumbled back among the rocks. I noticed that my feet were now en-

tirely bare; they were cut, swollen, and bruised. I had forgotten losing my boots—now I remembered.

My tongue was dry and seemed to make a grating sound when I tried to wet my cracked lips with it. My eyes smarted and burned; my head whirled like a merry-go-round—my head was a merry-go-round, with the bright colors, the tin-pan music and all. I remembered my compass and searched in all my pockets for it. It was gone. A wild fear surged through me. I knew that I had been making westward, but I realized that now I had lost all sense of direction. I looked to the sun to set myself aright; but I could only make a hazy deduction. I crawled about on hands and knees looking for my own blood-stained tracks in the rocks, that I might learn the direction in which I had been traveling the night before. But lava is black, and I found no tracks; but I found the compass, there where I had dropped it unconsciously among the rocks just before going to sleep.

With the compass I sighted west; but I was not satisfied with the direction pointed out by the scribe. I twirled the compass about and let the needle settle again; and still I doubted. If the compass was right, the sun must be wrong, for the sun was in the east according to the needle, and I thought that I must have

slept through the greater part of a day there in the rocks.

I dropped the compass with an insane prompting to start off on a run—in any direction. My sore feet brought me again to saner calculation. I surveyed the whole circle of the shimmering horizon. Nowhere could I see the timber line; nowhere could I see anything, save the crazy patchwork quilt of rock ridges and rock ravines. The lava beds, vast, dead, dismal, held me fast. I had become shipwrecked in an ocean of slag.

And then, as my eyes steadied to closer, deeper intensity of gaze, I discerned life, movement, far off there in that utter chaos. I saw an object move. A blurred, indistinct object it was; but nevertheless it moved, slowly at first and then with a dizzying swiftness. It came toward me, nearer and nearer; and then I recognized it for what it was—one of the crazy, black, malformed ridges. It had broken away from its fellows to bear down upon me. I drew my eyes away and swung them in a circle. I saw other ridges grow restless and begin to move. The whole lava beds, as far as I could see, on every hand, became alive, crawling with ridges—ridges that twisted and writhed about like a mass of huge, hideous, bony reptiles. I

closed my eyes and swayed in a fit of dizziness. I knew what to rely on now—my compass and not my reeling senses.

I rose to my feet again. The pain in them was almost unbearable; but I gritted my teeth and stood there nearly upright, swaying to and fro like a drunken man. When I became a little steadier I pointed my course westward with the compass scribe and set out again.

A little farther along a numbness, for which I was grateful, deadened the pain in my feet; and I went stumbling forward like a man on wooden legs.

Before sunset I came occasionally to dwarfed and twisted juniper trees growing in the crevices of the lava, and before darkness settled down I spied the western boundary of the lava beds. Here grew with precarious footing a raged line of gnarled, scrub Digger pine.

I came to the rough, timbered hills beyond, and in the moonlight held on through the woods, till at last I reached the headwaters of Ripple Creek. I felt the water swirling about my feverish feet before I saw it. I stepped back to the edge of the shallow, narrow stream, lay down on the grassy bank, and, strange as it may seem, I had sense enough not to drink my fill of

water all at once. At last I fell asleep. Some time during the next day I awoke and set out to follow down the stream.

It took longer to kick my feet into that almost pleasing sense of numbness than it had on the previous day. But I stumbled along with a clearer head, now that I suffered no longer for the want of water. Only vaguely did I realize that I was escaping from a perilous situation. All that remained for me to do was to keep moving downstream; I could not lose my way now; and could stop and drink whenever I pleased.

The sun set; the moon came up; and still I stumbled on with senses numb to pain and possessed with one great idea—to follow down the stream.

At last the moon went down, and through the velvety darkness that preceded dawn, I pushed on, relying solely on my sense of hearing to keep me located, for with my ears I followed the gurgling of the water in the creek.

With hands groping before me, I fetched up against a barrier. I was numb, dazed, half senseless; but I recognized the barrier for what it was—the corral fence at the Ripple Creek Ranch. After several clumsy attempts, I climbed over the fence, stumbled across the corral, and reached the door of the ranch house.

My appearance must have caused a great furor, for it seemed that every one began running about at once. I was like a man in a dream, and could answer logically but a few of the many questions put to me. Happy undressed me and tumbled me into bed. Miss Saylor, Miss Squires, Shorty, and Grayson were there; I could see them floating around the room, hovering over the bed, grotesque, hazily outlined forms only half recognizable. It seemed that these friends of mine were all barefooted, and that their feet were bleeding and swollen. I felt sorry for them, for I had lately come to know the meaning of sore feet.

Then the room seemed to fill with feet—hideous, monstrous feet, filled with palpitating aches and pains; and I suffered for them all. Some one began feeding me hot soup with a spoon, which I did not want; and then all the feet disappeared, taking with them all their agonies. The lamp lights wavered and blurred. On great, surging waves I drifted far out to sea.

My next realization was that of dancing on a red-hot stove. It was a giant stove, the sort I had never suspected could be found even in a man's delirium. It was miles across its shimmering, flat top. I knew that was no place for me to dance, and so I began to run.

The farther I ran, the hotter and wider and longer grew the top of that stove.

At last words blended with the buzzing sounds in my ears: "Hold that leg steady, Mr. Day—I can't do anything if you let him flail around like that. Climb up on top of him and sit on his legs."

My eyes came open from intensified pain. The room was filling with daylight. Happy Day was sitting astride me. I saw old Doctor Brines bending over my feet, and Miss Saylor standing there, holding a pan of water for him.

"We'll sew up this cut," the doctor was saying, "and let it go at that for the time being. I ask you now: Did you ever see a pair of feet like those on a man before?"

"Never!" answered Happy. "How he ever managed to make it is more than I'll ever be able to reason out!"

"Such things can't be reasoned," returned the doctor. "They're beyond reason."

CHAPTER XXVI

NEMESIS

I SAT on the front porch of the ranch house a few days later, with my bandaged feet resting in a swing. Shorty and Grayson sat one on each side of me. One of Shorty's arms was strapped tight to his side, and Grayson still wore a bandage about his head. I was holding in my hand for examination a queer contraption—an ingenious device to be worn on a man's foot for the purpose of making him appear taller than he really might be. It was made of a long-legged, laced boot, with a loop of hoop iron screwed to the sole, and at the bottom of the loop was fastened another sole in turn.

Happy Day and Miss Saylor stepped out on to the porch side by side.

"Pretty clever rig—don't you think so?" remarked Happy. "We found a secret hiding place under the floor of Slater's room, and this fancy stilt and its mate were there. With these boots on, Slater would look like a pretty tall man, and he'd also have to walk a bit

stiff-legged. The whole business was simple enough, and we were all blind not to have figured it all out a long time ago."

Miss Saylor and Hapgood Day then fell to talking and laughing between themselves, like two playful children. Miss Squires came out of the house and hovered close to Grayson's chair; but Grayson was buried in another one of his big books, and seemed to be paying little attention to any one.

Jed Forbes rode a tired horse up to the gate, dismounted, and came to join us on the porch.

"Just got back," he said. "Left the boys in Nanville, and rode on out here to congratulate you on getting out of a darn bad hole. I heard all about your experiences in town."

"You look as if you'd just come from a pretty hard trip yourself," I returned. "Have any success?"

Forbes smiled a little grimly. "Some," he answered. "I found your hat in a little rock saucer, high up on a lava cliff"—he lowered his voice a little—"and we found the highwayman of Chaparral Chute."

"How did you manage to do it?" I asked, very much surprised.

"Tracked him—followed signs," returned the sheriff.

"Tracked him!" I laughed in unbelief. "You tracked him, out there in that lava? Why, there's no such thing as tracking a man out there. Slater, himself, told me as much. Why, you might as well try to track a fish across a stream as try to track a man across those rocks!"

"I didn't say that we tracked him across the rocks. There's other places than on the ground to look for signs."

"Where?" I asked.

"Against the sky," returned Forbes; "signs against the sky!" In a hushed voice he continued: "Four buzzards hovering over a dead man in a little rock saucer on top of a lava cliff."

"Yes, I know—but he was all right when I left him there. He knew of a water hole near, and he was going to make it as soon as I got in the clear."

Forbes shook his head. "He had a bullet hole between his ribs," he answered. "He never moved from there."

I remembered the stains I had seen on Slater's shirt beneath his arm.

"He had nerve," I answered. "He never let on to me that he had been hit. And he gave me my chance to get away even—even after that——"

A sound of sniffling interrupted me. I turned and found Shorty crying—and I knew that he was neither drunk nor angry now.

"I used to figger this yere, now, Slater for a breed—but I musta been mistaken about that. Jack, old-timer, he give you your chance to get away when he had the drop on you. Let's try to forgit the bad he had in him and not talk about him any more."

We remained in silence for some time. At last Miss Saylor spoke:

"Mr. Forbes, I am going to be married to-morrow. I want you to stay over for my wedding."

I moved a little uneasily in my chair, and Forbes looked up in surprise. Miss Saylor blushed prettily and turned to Happy Day smilingly. Happy seemed bubbling over with good humor. I glanced around the circle of smiling faces, and smiled, too, a little awkwardly. Forbes caught my eye.

"So, you at last got up the gumption to propose to the finest girl in these hills, eh?"

I shook my head bashfully and motioned toward Happy Day.

"Ask him about it," I said.

Happy laughed. "Yes," he said, "it was I who had to do the proposing."

Forbes seemed a little taken aback at this.

"Yes," resumed Happy, "I proposed to Miss Saylor —in behalf of my best friend, Jackson Bailey Smithers. You see I knew at once that they were both in love with each other, and didn't know it themselves. I took it upon myself to fix things up for them—and I'm going to see them married to-morrow. I won't go away and leave them to dally around about it any longer. I got a wire from my partner in Texas—I'm needed down there—got to leave here to-morrow evening. I guess I forgot to mention to you the fact that that little partner of mine is a woman—a fine little thoroughbred who knows how to make a no-account meddler like me toe the mark. Ever since we were married, six months ago, she's been the boss. She says to meet her day after to-morrow, without fail, in San Francisco; so it'll stand me in hand to pull out of here on time. All of you who can walk—who aren't all stove up in the feet—come on inside, and I'll show you her picture. Miss Saylor doesn't need to come—she's already seen it."

Grayson looked up from his reading and let his big book fall to the floor. He rose to go into the house with the others, and then, much to the surprise of us

all, he put his great arm around Miss Squires, who blushed as prettily as a schoolgirl.

"While announcing engagements seems to be in order, I'll announce my engagement to Miss Squires. There'll be a double wedding here to-morrow," remarked Grayson, quite in the manner of an old hand at love-making.

"This turtledove love business is getting too sickenin' for me to watch much more of," grumbled Shorty. "You can see by this what womenfolks manages to do mostly to otherwise sane an' sensible men when they gets 'em sick in bed an' begins a-nursin' 'em. I'm glad they was all accounted for before they got around to me. I'm goin' out an' see what I can do for Silver. He's as stiff as a sawbuck, an' I won't be able to get him limbered up all summer. I wish I didn't have to stick around here an' be foreman for the outfit—this place is degeneratin' into a regular dudes' hangout, what with gettin' fifty thousand dollars for water rights, an' givin' away half interests in ranches for love an' affection——"

"Shorty," I interrupted, "come over here; I want to whisper something in your ear."

He came closer, with suspicion.

"Shorty," I whispered, "you go plumb to——"

He didn't let me finish, but turned and stamped off the porch, grumbling. But he couldn't hide the humorous twinkle in his eye from me.

Patsy Saylor and I were left alone on the porch in the twilight. I folded her tight in my arms and held her close to me with all the love any man can know.

THE END.

PROPERTY OF
STOREY COUNTY HIGH SCHOOL